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LEGISLATIVE ASSEMBLY DEBATES

TUESDAY, 12th FEBRUARY, 1946

Vol. II—No. 1

OFFICIAL REPORT

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LEGISLATIVE ASSEMBLY

Tuesday, 12th February, 1946.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

GRIEVANCES OF TOBACCO GROWERS

177. *Prof. N. G. Ranga: Will the Honourable the Finance Member be pleased to state.

(a) if it is a fact that representations have been sent to him and the Central Board of Revenue about the grievances of the Tobacco Growers in connection with the Tobacco Excise Duty Rules, if so, when;

(b) whether on these representations, the views of the Tobacco Excise Officers stationed in the Guntur and Kistna Districts were obtained; if so, what they are;

(c) whether the Conference of Excise Collectors recently held in Simla considered these representations; if so, what their decisions are;

(d) the final orders of Government on these representations,

(e) whether Government will be pleased to welcome the co-operation of the Tobacco Growers' Associations in the collection of information regarding the planting of tobacco, the distribution of T.P.1 and T.P.2 and other forms, in the filling up of warehouse forms, bonds, etc; and

(f) whether Government propose to call a conference between the Growers' Associations and the Department to work out a scheme of co-operation in order to minimise the troubles and the growing harassment of peasants?

The Honourable Sir Archibald Rowlands: (a) Yes, in August 1945.

(b) Reports from the local officers disclosed that the various points raised therein had been discussed in detail with the representatives of the growers and curers of the Guntur area and with my Honourable friend, that the adjustments in procedure which had progressively been made wherever remediable difficulties were found to exist had been explained to them and that there was at present no genuine cause for grievance.

(c) This conference generally discussed means of facilitating excise operations in relation to growers and curers. The Conference is held annually for the purpose of discussing all problems and difficulties arising during the year which have not been resolved in correspondence and it surveys the whole field, both of primary production, trading and manufacture and excise operations of all kinds throughout the country.

(d) In view of what I have just said, no further action on the part of Government was necessary.

(e) Government will always welcome the general co-operation of all persons concerned in the production manufacture and distribution of tobacco; but excise operations such as those referred to in the question must, for obvious reasons, be conducted by authorised officers of the Crown in direct relation with the producer, manufacturer or trader concerned. The Honourable Member has, however, since agreed, at my suggestion, to discuss with the local officers how far such co-operation, if forthcoming, could in practice assist their operations.

(f) Government are satisfied that adequate arrangements already exist for maintaining effective liaison between their officers and the various branches of the tobacco industry throughout the country.

Prof. N. G. Ranga: What is the objection that Government has for consulting tobacco growers associations also as a part of the growers with whom they

have to maintain direct relations? The Honourable Member said that Government preferred to maintain direct relations with growers. I suggest that in the phrase "direct relations" the growers associations should also be taken.

The Honourable Sir Archibald Rowlands: As my Honourable friend knows, I suggested to him the other day that there were certain difficulties in accepting other than the producer's declarations about the amount of tobacco he was growing, but that if he could persuade the authorities, including myself, that a satisfactory scheme could be evolved, I would willingly consider it. I suggested that the Honourable Member should take part in a tripartite discussion between the excise officers on the spot, the growers and the association, and my own office.

Prof. N. G. Ranga: May I suggest that after considering the suggestion of my Honourable friend, will it be possible for the Government to call for a conference of two or three or four officers who are on the spot at Guntur and in Madras—they can be got here and then the Honourable Member and myself and the President of the Central Board of Revenue and others interested in this matter?

The Honourable Sir Archibald Rowlands: As you know, I suggested to fly the Honourable Member to Madras at Government expense, but I gather his business in the House prevents his doing that; but I would willingly try and arrange a conference in Delhi if he prefers it.

SHOOTING OF I. N. A. PRISONERS IN NILGANJ CAMP

178. *Prof. N. G. Ranga: Will the War Secretary be pleased to state:

(a) when and why the I.N.A. prisoners in the Nilganj P.O.W camp were shot at by the jail or camp authorities;

(b) how many of the I.N.A prisoners were (i) killed and (ii) injured,

(c) what has happened to the trial of Captain Menon, the Superintendent of the Jail by the Court Martial,

(d) whether any compensation was paid or is intended to be paid to the disabled I.N.A. prisoners; and to the dependants of the deceased prisoners; and

(e) what steps are being taken to prevent the repetition of such mishaps in other P.O.W. camps for I.N.A. prisoners?

Mr. P. Mason: (a) A shooting incident took place at the P.O.W. camp Nilganj on the 25th September 1945. I do not think it would be proper for me to comment on the reasons for that incident as the case is *subjudice*.

(b) Five civilian internees were killed and nine injured.

(c) The trial of Captain Menon has not quite finished. The findings of the Court Martial are at present awaiting confirmation and will shortly be promulgated.

(d) The question of compensation must depend upon the results of the Court Martial I have referred.

(e) Very explicit instructions have been issued which should prevent any such incident in future.

I. N. A. PRISONERS

179. *Prof. N. G. Ranga: Will the War Secretary be pleased to state:

(a) the total number of I.N.A. prisoners;

(b) how many of them are now in hospitals;

(c) how many more are in receipt of medical treatment;

(d) how many of those admitted into the hospitals are suffering from (i) injuries inflicted during the shooting incidents in these camps (ii) heart or lung trouble (iii) bad nerves and paralysis (iv) partial or full insanity (v) other serious ailments;

(e) whether any first-class and adequate medical aid is being provided for these prisoners;

(f) if so, what is the *per capita* expenditure upon the medical assistance being given to these prisoners, say per mensem; and

(g) how does it compare with similar expenditure incurred on the P.O.W. camps of other prisoners?

Mr. P. Mason: I should explain, Sir, that the figures I am about to give concern only those prisoners who are members of the Indian Army. With this proviso, the replies to the Honourable Member's questions are as follows:

(a) about 4,225 in India under interrogation and perhaps 1,500 going through Regimental Centres for discharge. There are about 3,000 overseas.

(b) 413 of whom the majority came direct to hospitals in India in hospital ships.

(c) No return is made of those who report for daily treatment and are not detained in hospital, so it is impossible to give this information.

(d) (i) Three are suffering from gunshot wounds.
(ii) 94 are suffering from tuberculosis and 25 from other chest troubles.
(iii) 11 are suffering from nervous diseases and paralysis.
(iv) 22 are mental cases
(v) 18 have other serious ailments.

(e), (f) and (g). These prisoners receive exactly the same standard of medical treatment as other officers and soldiers of the Indian Army and enemy prisoners of war. As far as the medical profession is concerned they are all human beings in need of medical attention and no differentiation is made. I do not think, therefore, that the considerable effort which would be needed to supply information as to the cost per head of medical treatment would be justified.

Prof. N. G. Ranga: How do the Government account for such a large number of people—twenty two—suffering from partial or full insanity when there are only eleven suffering from nervous diseases and paralysis and even fewer suffering from heart trouble?

Mr. P Mason: That will involve a side incursion into the fields of surmise.

Prof. N. G Ranga: But do not Government receive periodical reports from officers concerned in regard to the diseases from which these people are suffering and the causes therefor?

Mr. P. Mason: I am unable to read the report on every person in the Indian Army who is under hospital treatment.

Prof. N. G. Ranga: I submit, Sir, that is a very irresponsible answer. It must be the task of some officer in his Department or in some other Department which is responsible to him to study these reports and supply him with the necessary information. I would like to know whether he will take the trouble to make inquiries hereafter at least in the light of these supplementary questions that I have put?

Mr. P. Mason: Had I been asked what is the cause of these cases I would have supplied the information; but I cannot be expected to have it in my head all the time I have looked into one case which engaged my attention and I shall look into the others.

Shri Mohanlal Saksena: May I know how many of them developed insanity after arrival in India?

Mr. P. Mason: I should require notice of that.

Captain Dharam Singh Shooting Incident

180. ***Prof. N. G. Ranga:** Will the War Secretary be pleased to state:

(a) the full facts regarding the Captain Dharam Singh shooting incident in the Jhinkar-gacha camp;

(b) whether Captain Dharam Singh complained before he was shot at against the restrictions imposed on his movements, and, if so, when and to whom;

(c) why were those restrictions imposed on him and what answer was given to him to his complaints and by whom;

(d) whether any enquiry was made into that shooting incident, and, if so, when and by whom, and what are the results of that enquiry;

(e) what is the present state of his health;

(f) where is he being kept;

(g) what is the nature of treatment given to him; and

(h) whether Government will order a public enquiry into the whole of this unhappy affair and if not, why not?

Mr. P. Mason: (a) I would invite the attention of the Honourable Member to the discussion which took place in this House on the 22nd of last month on Mr Satya Narain Sinha's adjournment motion.

(b) No, Sir.

(c) As regards the first part he was under arrest, the second part does not arise.

(d) Yes, Sir, a properly constituted Court of Enquiry has been held, the findings of which have been confirmed by the Sub-Area Commander. Jemadar Dharam Singh ignored the sentry's challenge; and no blame attaches to the sentry.

(e), (f) and (g). He is making good progress towards recovery at the C.M.H. at Barrackpore where he is receiving the same attention as any other patients.

(h) The whole incident has been fully inquired into and Government does not consider that any further inquiry is necessary.

Prof. N. G. Ranga: Is it not a fact that the whole inquiry was made *in camera* by the departmental officers?

Mr. P. Mason: The inquiry was made departmentally by military officers It was not particularly *in camera* and there was no reason why anyone should not give evidence if he wished to do so

Prof. N. G. Ranga: Did Captain Dharam Singh provide any defence counsel to defend his own case?

Mr. P. Mason: There was no question of any defence counsel He was not accused of anything

Shri Sri Prakasa: What was the nature of the inquiry?

Mr. P. Mason: It was a court of inquiry which is held whenever a sentry fires a round. An inquiry is held into the circumstances in which he fires a round and the court records a finding as to whether he was right in doing so In this case, the circumstances are crystal clear and I have repeatedly explained them in this House. The man was trying to go out through the wire. He was challenged not three times, as I said before, but six times. He refused to answer and continued to try to escape and the sentry fired That firing was in accordance with orders and was correct

Shri Sri Prakasa: May I take it that Captain Dharam Singh was given every opportunity to state his own case?

Mr. P. Mason: He was challenged by the sentry six times.

Shri Sri Prakasa: I am asking whether in the course of the inquiry Captain Dharam Singh was given every opportunity to make his own statement?

Mr. P. Mason: No, Sir. No statement was called for

Shri Sri Prakasa: Then, Sir, may I take it that inquiries were made without consulting the chief man concerned?

Mr. P. Mason: No, Sir. The man concerned was the sentry. It was the sentry into whose actions the inquiry was taking place.

Shri Sri Prakasa: May I take it that the Honourable Member seriously suggests that Captain Dharam Singh was not at all concerned and there was no

necessity of asking him any questions or giving him any opportunity of making a statement and presenting his own case?

Mr. P. Mason: I did not say that he was not concerned. What I said was that the inquiry which was being made was into the conduct of the sentry and the sentry was the person concerned. Had it transpired that the sentry had behaved wrongly, then there would have been a case for a possible court-martial.

Shri Sri Prakasa: Was it not necessary to ask Captain Dharam Singh whether he was or was not challenged six times?

Mr. P. Mason: No, Sir.

Mr. President: That is a matter of opinion. Next question.

CREATION OF FUND FOR CREDITING UNCLAIMED INTERESTS OF MUSLIM SAVINGS BANK DEPOSITORS

181. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Finance Member please state whether Government are aware of the announcement made in the Council of State as far back as on the 12th September, 1927, in reply to a question of Sir Ebrahim Haroon Jaffer, to the effect that Government were willing to make arrangements for facilitating the payment into special funds supported by representative Muslim bodies, of sums representing the interest earned upon monies standing to the credit of Muslim depositors in the Post Office Savings Banks, which the individual depositors do not wish to claim for themselves?

(b) Will Government be pleased to state what steps they have taken during this period of about 18 years to bring to the notice of the innumerable Muslim funds established and supported by responsible Muslim organisations all over the country of the arrangements which they had proposed to make to facilitate the payment into such funds of the sums pertaining to the interests earned by Muslim depositors in the Post Office Savings Banks who do not wish to claim such interests?

(c) Will Government be pleased to inform this House of the steps, if any, taken by them to bring to the notice of individual Muslim depositors in the Post Office Savings Banks the facilities which they had intended to provide to enable them to give the requisite direction as to the disposal of the interest money standing in their names?

(d) As the number of Muslim depositors in the Post Office Savings Banks is very large, and as a substantial proportion of them are likely to be in the remotest parts of the country did Government take steps to give the widest possible publicity to ensure that the implications of their announcements were fully appreciated by the vast number of Muslim depositors?

(e) Will Government be pleased to lay on the table full details, Province by Province, of the amounts earned as interest by Muslim depositors but not claimed by them for the past 15 years in (i) Postal Savings Banks, and (ii) in other Banks?

Mr. B. C. A. Cook: (a) Yes.

(b) The initiative in the matter was left to the Muslims themselves. It was for them to establish a special fund (or funds) for the purpose and thereafter for the individual depositors to give the requisite directions.

(c) and (d). Government gave no undertaking either to bring the arrangement to the notice of the individual depositors or to take any special measures for giving publicity to it.

(e) The information is not readily available and Government do not consider that the advantage to be gained from the compilation of the necessary statistics would be commensurate with the labour and expense involved.

Mr. Ahmed E. H. Jaffer: How do you expect the Muslims to administer the fund or to form the fund unless the Bank or the Post Office gives to us the money which is lying with the Bank or the Post Office?

Mr. President: I could not follow the question.

Mr. Ahmed E. H. Jaffer: The Honourable Member said in his reply that it is for the Muslims to administer the fund. I am asking how is it possible for the Muslims to do so without getting the money that is lying in the Post Offices or the Bank unclaimed?

Mr. President: That is asking for the advice. The Honourable Member can ask for information only.

Dr. Sir Zia Uddin Ahmad: I raised a similar question when Sir George Schuster was the Finance Member and he gave me some figures which were available in the Finance Department. So, the figures up to that time are available in the office. The thing was left because he wanted to put a condition that the opinion of all the Muslim charitable bodies should be invited, which was impossible.

Mr. President: What is the question? If each Honourable Member were to put a question with a long introduction, it will not be possible for us to reach further questions at all. Only questions should be put for eliciting any answer.

Dr. Sir Zia Uddin Ahmad: My question is whether the Honourable Member has seen the file of the questions and answers given to me by Sir George Schuster on the same issue?

Mr. B. C. A. Cook: I will look them up.

Mr. Ahmed E. H. Jaffer: May I invite his attention to a resolution moved by Sir Ebrahim Haroon Jaffer and adopted by the Council of State? Will he take the trouble of reading that debate?

Mr. B. C. A. Cook: I have seen the debate.

Shri Sri Prakasa: Sir, I should like to be enlightened on the question of procedure. This question is addressed to the Honourable the Finance Member. When the Honourable the Finance Member is himself present in the House, I do not know how he can delegate his duties to some one else regarding the answering of questions.

Mr. President: The Finance Member is competent to delegate this function to any of his subordinate or to his colleague.

Prof. N. G. Ranga: They ought to have informed us who this other gentleman is.

Shri Mohan Lal Saksena: Has that been done with your permission, Sir?

Mr. President: Yes.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that the interest of these investments was not handed over to the Christian charitable institutions? If so, where is the money lying? Has it been confiscated by the Government?

Mr. B. C. A. Cook: The money is being accounted for.

Dr. Sir Zia Uddin Ahmad: Is it lying with the Government or has it been handed over to other charitable institutions?

Mr. B. C. A. Cook: The money is still with the Government.

Dr. Sir Zia Uddin Ahmad: Do you want to confiscate it?

Mr. B. C. A. Cook: No, Sir.

Haji Abdus Sattar Haji Ishaq Seth: My friend Mr. Jaffer did not say that the Government gave an undertaking. He wants to know what steps Government have taken to invest these individual deposits?

Mr. B. C. A. Cook: Government did not undertake to take any such step and therefore they did not take any step.

Shri Sri Prakasa: May I know if even when the interest is not paid to the investors, the Government computes the amount of interest accrued and accounts for it under definite heads?

Mr. B. C. A. Cook: Yes, Sir.

Mr. Ahmed E. H. Jaffer: Will the Honourable Member consider the question of appointing a Committee of the Muslim Members of the Central Legislature to administer this Fund?

Mr. B. C. A. Cook: I think a non-official Committee can form itself.

Mr. Ahmed E. H. Jaffer: Will you hand over this money to the Committee?

Mr. President: Next question.

DEMOBILIZATION OF HIGHER PAID PERSONNEL OF INDIAN FORCES.

182. *Mr. Manu Subedar: (a) Will the War Secretary please state how many men receiving more than Rs. 200 per month including allowances, are being demobilised in (i) the Army, (ii) the Royal Indian Navy, and (iii) the Indian Air Force?

(b) Is it a fact that it is proposed to send away men, who have put in several years' service, and to recruit for the purposes of the Department as a whole new personnel either from India or from Britain, or from the British Army in India?

(c) What arrangements have been made for the absorption of those Indians, who are being sent away from any one of the branches into (i) Civil Service, Forests Education, Irrigation or other Services, and (ii) industries, existing and post-war, as well as shipping?

(d) Is any preference being given to the Indians, who will be demobilised under the proposal, over Britishers who have applied for admission to the Indian Civil Service, the Irrigation Service, the Police Service and other Services? If not, why not?

Mr. P. Mason: (a) It would be impossible to give accurate figures in answer to this part of the question since allowances vary according to location and appointment held. If the Honourable Member will specify the ranks and trades in which he is interested, I shall be glad to give him the figures.

(b) Yes, Sir, it is proposed to send away from the Services those who are in excess of the figure which is being assumed for the Post-war Services. At the same time it is necessary to provide for the future a flow of persons of suitable age and the recruitment of young officers and other ranks is beginning. As already announced in the Press, recruitment to the Indian Army and Royal Indian Air Force will be entirely Indian, although it is hoped also to obtain by secondment the services of a number of British officers for so long as they are required. In the case of the Royal Indian Navy, recruitment will be of Indians only except for 40 British officers now serving on the reserve who will be required on account of the greater difficulties of secondment in the case of the Navy.

(c) (i) They will be eligible for permanent vacancies in Government Service a percentage of which are reserved for men with war service.

(ii) A Resettlement and Employment Organization has been set up to guide and help them in their resettlement in civil life and finding employment for them in various industries, etc. For further information on the subject, I would invite attention of the Honourable Member to the 'Progress Report' of the Organization for the period from the 18th July to the 31st December 1945, copies of which are available in the Library of the House.

(d) This question is really for the Honourable Home Member. However, in the I.C.S. and I.P. recruitment of Europeans and Indians to the reserved vacancies will be made in the same proportion as before the war, due allowance being made for those recruited since the outbreak of the hostilities.

As regards the Central Services, recruitment is ordinarily restricted to British subjects of Indian domicile or descent.

Mr. Manu Subedar: In view of the very great importance of this question to the officers concerned who have worked in the Indian Army, Navy and Air Forces, will the Honourable Member either confirm or deny the information

which I have got, namely that about 2,000 persons are being sent away in due course from the Indian Navy on the plea that the Indian Navy is not big enough to absorb them, and at the same time, 300 officers are being taken from R.N.V.R., and R.N. Reserve from the British Navy. When Indian boys are being sent away in this number, why are Britishers taken in their place?

Mr. P. Mason: No, Sir, that is not exactly the correct position. I have not got the exact figures in my head. Something in the nature of about 2,000 are being reduced because the present strength is greatly in excess of future needs. The number of British officers who are being given permanent commissions is, as I explained, 40. They are people who are already serving in R.I.N.V.R. and they stand against the number—I think it is 60, I forget exactly—of Indians who are already in that reserve who are being given permanent commissions. The number to which the Honourable Member refers—again I have not got the exact figures—is undoubtedly the number who are proposed eventually for secondment from the Royal Navy temporarily for one or two years. Their terms have not yet been settled. But in fact, it is very doubtful whether the Royal Navy will be able to spare them.

Mr. Manu Subedar: What are the reasons for the Government throwing out hundreds of young Indians who have done valuable service for over four years during the war and who have got a good record and for not using them and instead of that importing or to use your strange term, 'seconding', 300 Britishers in their place? Why don't you adjust and use these very men whom you have trained up and who have done good service?

Mr. R. Mason: As I explained to the Honourable Member privately the other day, the necessity for any service is to have an even flow, a steady flow of officers and not to have every one of the same age. We have in any case to reduce our R.I.N. very considerably, otherwise we will have a very considerable number on our hands. We want to avoid making the mistake which was made after the last war when a large number of men recruited during the war were of the same seniority and had to be axed from the service, years later, when they were nearly all 35 years old and they had to start in new professions.

Mr. Manu Subedar: Apart from these 300 who are being imported, why should 40 permanent commissions be given to Britishers, when Indians—Hindus, Muslims, Christians and others—who have served in the Indian navy with distinction are being thrown out?

Mr. P. Mason: There are certain specialist appointments and other appointments into which it is felt that only people who have certain experience will fit. As for the question relating to 300, as I explained already, that is by no means yet settled or determined.

Mr. Manu Subedar: In view of the feeling on this side of the House and I take it to be the feeling in all sections, may I know whether the Government will not make an endeavour not to take these 300 and these 40 when with suitable adjustments, they can use 340 out of 2,000 whom they want to throw out?

Mr. P. Mason: We will give our attention to this suggestion.

Mr. Frank R. Anthony: What is the total number on a permanent basis of European and Indian officers that you intend to keep?

Mr. P. Mason: I am afraid I cannot give the figure now.

Mr. Frank R. Anthony: Do you intend to recruit Indian officers on a permanent basis?

Mr. P. Mason: Yes, Sir.

BUILDING CONSTRUCTIONS AT CESSATION OF HOSTILITIES

183. *Mr. Manu Subedar: (a) Will the War Secretary please state how many buildings were in the course of construction at the time when (i) hostilities with Germany ceased, and (ii) hostilities with Japan ceased, for each of the separate Army Commands?

(b) How many of them were permitted to be completed and why?

(c) How many new buildings were permitted to be started after the hostilities with Germany ceased, and why?

(d) What is the value of the building material, which is carried in hand by the War Department in each of the separate Commands, and when and by what method will this be disposed of to satisfy the acute requirements of the civil population?

Mr. P. Mason: It is not possible to give the Honourable Member a reply in all the detail asked. (a) The number of projects costing over one lakh in the course of construction on the cessation of hostilities with (1) Germany were 689, (2) Japan 573.

(b) The cessation of hostilities in the West in no way reduced the military load on India, on the contrary the tendency was for the load to increase because of the intensification of operational planning for the Far East However, between the surrender of Germany and the surrender of Japan 16 projects were cancelled because they were of low priority and could not be completed in time for operations

After the surrender of Japan a review of all projects was undertaken with a view to the immediate stoppage of all works where possible Consequently work was stopped on 322 out of the 573 projects with a resultant saving of between Rs 8 and 9 crores Work was permitted to continue only on the grounds of contained necessity for a project or when economic considerations required completion.

(c) 111 new projects were sanctioned between V E and V J days for reasons I have just given.

(d) Essential building materials, such as bricks, cement and timber are not purchased for stock but on a monthly basis for known requirements Such stocks must be considered negligible and no disposal problem arises. Thus the military are unable to assist the civil population from their actual stocks but their lessened demands leaves the greater portion of India's output at the disposal of civil consumers

Mr. Manu Subedar: In view of the fact that the military appropriated to themselves almost the entire available building material throughout the war period, and in view of the fact that very acute residential distress was felt in all major cities of India, and more particularly in Bombay, may I know whether the military cannot slacken or suspend their building activities now so as to give a chance to the civil population for proceeding with their housing?

Mr. P. Mason: Sir, as I already explained, it has been very considerably slackened 322 out of 573 projects have been given up We have reserved only such projects as it would be uneconomical to leave three-fourths finished and not complete them and those we shall need for post-war purposes We have slackened the building programme as much as we can

Mr. Manu Subedar: I refer to the new projects which have been started since the cessation of hostilities Even if they are considered necessary for the military in due course, will not my Honourable friend consider this that they may be taken not with the same speed and with the same monopoly of building materials as you have been doing in the past and that housing needs for civil population may be given precedence?

Mr. P. Mason: Yes, Sir, we will consider that.

Seth Govind Das: Is it not a fact that cement is available now for private use, but that iron and steel are not available for ordinary civilian consumers?

Mr. P. Mason: I must ask for notice.

Dr. Sir Zia Uddin Ahmad: I understand it is released now.

BRITISH AND ALLIED TROOPS IN INDIA

184. *Mr. Manu Subedar: (a) Will the War Secretary please state the highest total number during the war in India of the (i) British troops, (ii) U.S.A. troops, and (iii) troops of other Allies?

(b) What is the number of troops under these categories now?

(c) By what time and in what stages is it proposed to reduce this number?

(d) What is the minimum number of British troops, which will be maintained in India as part of the Indian army?

(e) Is it a fact that all orders and instructions in connection with the recruitment, promotion, retirement and changes in connection with the British section of the army in India are received from the War Council in the United Kingdom, or from Generals and officials directly responsible to the War Council?

(f) Is it a fact that the Government of India have no power whatsoever in regard to this matter?

Mr. P. Mason: (a) (i) British troops—246,000, (ii) American troops—170,000, (iii) Troops of other Allies—58,393.

(b) I am afraid it would not be in the public interest to disclose the number of troops at present in India.

(c) British and African troops are now being returned to the United Kingdom and Africa as they become eligible for release and repatriation, and as shipping becomes available.

Troops of the U. S. Army are rapidly leaving and will all be gone by the end of March, except for a few engaged in the disposal of U. S. stores and assets in India.

There are negligible numbers of other Allied troops in the country now and most of them are on the point of departure.

(d) The number of British troops to remain in India eventually will be for the decision of the future Government of India.

(e) and (f). Yes, Sir, Decisions as to the recruitment, promotion and retirement of British Units of the Army in India are received from the War Office.

All orders and instructions relating to British personnel serving with the Indian Army are issued by the Government of India.

Mr. Manu Subedar: With reference to part (d), what is the minimum number of British troops which will be maintained in India as part of the Indian army? My Honourable friend says that it is left to the future Government of India. Until the future Government of India is installed—if it is not merely British propaganda to talk of future Governments—has he not received instructions from the United Kingdom on this subject, which is giving instructions on every army issue?

Mr. P. Mason: No, Sir, most emphatically not.

Mr. Manu Subedar: At what stage will the question be decided about the final number to which the British troops in this country will be brought down?

Mr. P. Mason: On the assumption that there will be a transfer of power some time during the next summer; the period under consideration is only six months so that no question of a minimum arises.

Mr. Frank R. Anthony: Has the attention of the Honourable Member been drawn to a recent debate in the House of Commons where it was alleged that there is an unnecessarily large number of British troops in this country?

Mr. P. Mason: No, Sir.

Mr. Frank R. Anthony: Was his attention drawn to a statement by Major Wyatt that the officers in the G.H.Q are falling over one another and do not know what to do with themselves?

Mr. P. Mason: I have seen that, but I do not think it arises out of the question set down on the paper.

Mr. Manu Subedar: Will Government give this House a clear idea as to why the British personnel is so terribly discontented at the slowness of demobilisation and if I may ask on behalf of the Indian side of this House—why additional charges in connection with the British personnel is still being heaped on the head of India?

Mr. P. Mason: The reason why they are discontented is that they want to leave India; and they cannot go away because of lack of shipping.

INDIAN TROOPS SENT ABROAD AFTER CESSATION OF HOSTILITIES

185. *Mr. P. B. Gole: (a) Will the War Secretary be pleased to state the names of the Countries where the Indian troops were sent for quelling local disturbances after the cessation of hostilities with the Axis Nations?

(b) At whose instance were the Indian troops sent?

(c) Was sending of such troops necessary for the defence of India?

(d) Who has borne the expenses of these troops?

(e) What is the number of troops so sent, and the number of casualties?

Mr. P. Mason: (a) Indian troops have *not* been sent to any country for the purpose of quelling disturbances. The forces of the United Nations, including Indian Forces, have been sent to all countries which, during the war were enemy or enemy occupied, for the purpose of imprisoning enemy troops, and releasing prisoners of war and civilian internees. For these purposes Indian troops have been sent, since the end of hostilities to Greece, Malaya, Siam, French Indo-China, Netherlands East Indies and Borneo.

(b) Indian troops like any other forces of the United Nations were sent to various places during and after the war by the Supreme Allied Commander of the theatre in question acting on a policy agreed to by all the Governments interested.

(c) Yes, Sir. It was the logical outcome of the successful defence of India.

(d) His Majesty's Government in the United Kingdom.

(e) I am sorry that I cannot give these figures in the public interest.

Mr. P. B. Gole: May I know what kind of defence of India was involved in sending out Indian troops after the cessation of hostilities?

Mr. P. Mason: As I have explained, it was the logical outcome of the successful defence of India. As I explained in the debate the other day, it naturally follows on the conclusion of hostilities that the troops which have obtained a victory move forward to occupy the enemy's territories.

Mr. P. B. Gole: May I know if the sending of troops to Indonesia was necessary for the defence of India?

Mr. P. Mason: My answer is the same as the answer which I have just given.

Prof. N. G. Ranga: When will the time come, in the view of Government, when it will not be necessary to move Indian troops abroad on the orders of the Allied Command or of the British Command?

Mr. P. Mason: They are not sent abroad on the orders of any authority outside India.

Mr. Manu Subedar: Are they not sent in accordance with the orders of the Defence Council sitting in London?

Mr. P. Mason: Orders are issued by the Government of India.

Mr. Manu Subedar: But are no instructions received from the Defence Council in London?

Mr. P. Mason: Not instructions but consultation.

Mr. Manu Subedar: Only two minutes ago my Honourable friend said in reply to a question of mine that these instructions are received from London. I refer to clause (e) of question No. 184.

Mr. P. Mason: That is about recruitment, promotion, and retirement of British Units of the Army in India; it has nothing to do with operations or movements of troops.

Sri M. Ananthasayanam Ayyangar: May I know what the cost of these movements has been after the cessation of hostilities?

Mr. P. Mason: That is a matter for His Majesty's Government; so I have got no figures about it.

Sri M. Ananthasayanam Ayyangar: Is not the cost incurred in the first instance from the Indian exchequer?

Mr. P. Mason: No, Sir.

Shri Mohan Lal Saksena: Were the views of this House regarding the sending of troops to Indonesia communicated to the representatives of the Government of India in the U.N.O.?

Mr. P. Mason: I have a number of questions down on that subject.

DEATHS OF I. N. A. PRISONERS

186. ***Mr. P. B. Gole:** (a) Will the War Secretary please state the number of the I.N.A. soldiers who died in Indian or other prisons during the period of detention?

(b) Were any of the I.N.A. prisoners shot while in detention? If so, by whom?

(c) For what offences, if any, were they shot?

(d) Were they tried before they were shot?

Mr. P. Mason: (a) The number of military personnel of the I.N.A. who died in hospitals attached to detention camps is five.

(b) In addition to two who died of self-inflicted wounds, one military member of the I.N.A. has been shot while in detention. He was shot by a sentry as has been more than once explained.

(c) He was shot while trying to escape.

(d) The question of trial obviously did not arise in these circumstances.

Prof. N. G. Ranga: The Honourable Member said earlier that there was a court of inquiry appointed. Are we to understand that according to Government, it is not necessary that the accused should be provided with defence facilities?

Mr. President: Order, Order. I am afraid the Honourable Member has not understood the point. The inquiry was with reference to the sentry who shot, whether the shooting was proper or not. The accused was the sentry, not the other man.

Shri Sri Prakasa: The Honourable Member says that while the inquiry was in progress no questions were asked of the person concerned.

Mr. President: That will be a different matter.

Prof. N. G. Ranga: I am obliged to the Chair for correcting me. My question is this: "Are we to understand that Government's idea of a court of inquiry is that the person who was really the victim of the shooting incident was not to be given any opportunities whatsoever to state his case before that court of inquiry?

Mr. P. Mason: The procedure of a court of inquiry depends on the circumstances; and in those circumstances, after considering the evidence that was available, it did not appear necessary to take the evidence of Jamadar Dharam Singh.

Shri Sri Prakasa: Was the statement corroborated that he was challenged six times?

Mr. P. Mason: Yes, Sir, that is the finding of the court of inquiry.

Mr. P. B. Gole: May I know where this enquiry took place?

Mr. P. Mason: On the spot.

FOREIGNERS OF ASIATIC DOMICILE UNDER DETENTION

187. *Mr. Ahmed E. H. Jaffer: (a) Will the Honourable the Home Member be pleased to lay on the table of the House a complete and up-to-date list of foreigners of Asiatic domicile who are detained or interned in India by the orders of the Government of India, showing their names, their ages, their countries of origin or domicile as well as the reasons for detaining them, the time since when and the places where they are kept in detention and the allowances being paid to each of them for their maintenance?

(b) Is it a fact that in the Karwar Jail in the Bombay Province, the Government of India is detaining, since a very long time, male and female members of a once distinguished family of Kabul in Afghanistan?

(c) If the answer to (b) above be in the affirmative, will the Honourable Member please state:

(i) the number and names as also the ages of these Afghan detainees,

(ii) the status and standing their family enjoyed in Afghanistan in the past,

(iii) the circumstances under and the conditions on which these Afghans fell into the custody of Government; and

(iv) the direct offence against Government for which it has chosen to consign these respectable Afghans to the rigours and hardships of jail life without trial?

(d) If these Afghans now rotting in the Karwar Jail are detained there without any trial, have Government any intention of trying them in a regular court of law or setting them free if their detention was for any consideration connected with the recent great war which now has happily ended?

The Honourable Sir John Thorne: The questions should have been addressed to the Secretary of the External Affairs Department.

Sri M. Ananthasayanam Ayyangar: Sir, I submit that the list of subjects put under the various Departments are so varied that in spite of all our care we sometimes find it difficult to address the proper Department. I suggest that in such cases if any Honourable Member feels that a question relates to some other Department it should be passed on to that Department immediately. I request that the Chair may be pleased to give a direction in those terms.

Mr. President: At the time of admission of questions such corrections are made. But if there has been a slip now, the Honourable Member has got the answer; he may put the question again.

Mr. M. Asaf Ali: Sir, on a point of order, I really do not understand this attitude of Government in trying to evade answers. If a question does not relate to a particular Honourable Member's Department, is it or is it not his duty to pass it on to the proper quarters? And is it right for him to stand up here and say that it does not relate to his own Department? I think it is a very improper attitude to adopt.

Hajee Abdus Sattar Haji Ishaq Seth: Sir, with regard to such questions the arrangement in the last Assembly was that the Department addressed, if it was not concerned with the question, itself transferred it to the other Department and it was answered on the day that Department's turn was due in this House. I think that should be the arrangement now also.

The Honourable Sir John Thorne: That has been done in this case.

Mr. President: It is a question of propriety, not of any point of order.

Mr. Ahmed E. H. Jaffer: I gave notice of this question a month ago. It was admitted when you, Sir, occupied the Chair on the first day, and I fail to understand why this has not been forwarded to the External Affairs Department.

Mr. President: The matter has now been closed by the explanation given, and by the consent given. It may be answered very early.

AFGHAN DETENUS IN POONA.

Mr. Asaf Ali: May I have an assurance either from the Chair or from the Government that in future such answers will not be considered anything else but as waste of the time of the House?

Mr. President: Next question.

AFGHAN DETENUS IN POONA.

188. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Home Member be pleased to state if it is a fact that three Afghan brothers of a high family of Kabul in Afghanistan are being detained by Government under surveillance within the limits of the Poona City and suburban areas?

(b) If the answer to (a) above be in the affirmative, will the Honourable Member kindly state:

(i) their names and ages;

(ii) their family standing in Afghanistan;

(iii) the posts or profession which they held or followed in their own country before tripping into its custody in India;

(iv) the circumstances under which they fell into the hands of Government; and

(v) the reason for which they are being detained at Poona?

(c) Is it a fact that the Afghan detainees in Poona have been paid Rs 60 per month each for their maintenance including house rent, medical expenses, as well as clothing charges up to very lately through all the abnormally expensive years of the recent war?

(d) Is it a fact that only two or three months back Government after receiving repeated representations from these scions of a noble Afghan family have been pleased to raise their monthly allowance to the sum of Rs 80 per month for each?

(e) Is it a fact that the Afghan internees in Poona are not allowed by Government to engage in any service or business whereby they might be able to earn enough to live above penury which is their present lot?

(f) If the answer to (c), (d) and (e) above be in the affirmative, will the Honourable Member please state if the allowances given by Government to the Afghan internees in Poona stand justified in the light of its own periodical living cost indexes *vis-a vis* the standard of living to which these internees have been accustomed in their own country?

AFGHAN DETENUS IN POONA

189 ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Home Member be pleased to state if it is a fact that the Afghan internees in Poona have behaved worthily throughout the period of their detention in Poona and that they themselves have no desire to return to Afghanistan under its present regime?

(b) If the answer to (a) above be in the affirmative, have Government any objection to removing them from their present surveillance and detention in order to let them settle down as independent citizens with permission to engage in any trade or calling?

(c) If answer to (b) above be in the negative, does the Honourable Member propose to issue early orders removing all restrictions on these internees or in the alternative raise the amount of their allowances to a figure compatible with the standard of living to which they have been accustomed in their own country and with the prevailing high cost of living in Poona?

"TRUSTIFICATION" OF ALL THE PRESS

190. ***Mr. Ahmed E. H. Jaffer:** Will the Honourable Member for Information and Broadcasting be pleased to state if action is contemplated at an early date against what is sometimes called the "Trustification of all the Press" in India?

The Honourable Sir Akbar Hydari: If by "Trustification of all the Press" the Honourable Member's reference is to the Indian and Eastern Newspaper Society's proposal to start an Indian Press Agency, the answer is that such an agency has not so for been formed.

Mr. Ahmed E. H. Jaffer: Is it a fact that talks are in progress between the Tory newspaper magnate Lord Kemsley and Birla Brothers of Calcutta for bringing into existence in India an institution for checking irresponsible international news-reporting?

The Honourable Sir Akbar Hydari: I have no information, Sir.

INDIAN OPINION ON INDONESIA QUESTION

191. ***Prof. N. G. Ranga:** Will the War Secretary be pleased to state:

(a) if Government are aware of the wide-spread sympathy shown by the Indian public for the people of the Indonesia and Indo-China in their struggle for freedom and also the popular observance of the South East Asia Day, organised by the National Congress in the last week of October, 1945;

(b) whether Government have informed the British Government about this state of Indian public opinion; and, if so, whether Government will place on the table of the House extracts from that report; and

(c) whether Government have made any protest to the British Government against the use of Indian Troops in Indonesia and Indo China; if so, how often and with what results?

Mr. P. Mason: (a) Yes, Sir, but references to the struggle for freedom of the people of Indonesia and Indo-China have been made without an adequate appreciation of the facts of the situation, which were explained in the course of the debate on the 21st of last month on Prof. Ranga's adjournment motion on this subject.

(b) Yes, Sir, Government have informed His Majesty's Government in the United Kingdom of the state of Indian public opinion; but I am afraid it will not be in the public interest to publish the communications between the two Governments.

(c) The Government of India have forwarded to His Majesty's Government copies of the debate referred to above. His Majesty's Government have assured us that they appreciate the distasteful nature of the duties which the developments in the Netherlands East Indies have imposed upon British and Indian troops in the course of the discharge of the obligations laid upon them by the Anglo-American Chiefs of Staff.

Prof. N. G. Ranga: Have Government heard since from the British Government what they feel about the adjournment motion passed by this House in regard to this matter?

Mr. P. Mason: I have just read out their views.

Prof. N. G. Ranga: When was that reply received? My Honourable friend gave no answer the other day in the course of his reply on the adjournment motion moved by me as to why the Government of India have sent Indian troops to Indo-China.

Mr. P. Mason: I explained the other day that at the beginning of this year there were two Brigades in Indo-China. One of them has now come out; there is one Brigade left. It is exclusively engaged in guarding the Japanese Prisoners of War and has nothing whatever to do with the internal affairs of Indo-China.

Mr. Muhammad Nauman: May I know whether the Government of India has protested with regard to this matter, or not?

Mr. P. Mason: I have stated the nature of the communication, but I cannot go further into details.

Sri M. Ananthasayanam Ayyangar: What steps the Government of India have taken to withdraw the rest of the troops?

Mr. P. Mason: Sir, as I have explained, none.

Sri M. Ananthasayanam Ayyangar: Is it making any attempt in that direction to carry out the wishes of the people in this country?

Mr. P. Mason: Not until the objects are completed.

Shri Mohan Lal Saksena: May I know whether the views of this House on this subject were communicated to the Government of India representative on the United Nations Organisation?

Mr. P. Mason: I am afraid that question must be addressed to my Honourable friend in charge of the External Affairs Department.

REDUCTION OF SIZE OF INFORMATION BUREAU

192. *Sri M. Ananthasayanam Ayyangar: Will the Honourable Member for Information and Broadcasting please state:

(a) if he is aware that the British Ministry of Information has been drastically reduced in numbers and proposed to be abolished in a month or two; and

(b) if any steps are being taken to reduce the Information Bureau to its pre-war size and do away with all the war-time jobs in respect of the Information side of the Department, if so, what steps are proposed to be taken, if not, why not?

The Honourable Sir Akbar Hydari: (a) I understand that the Ministry of Information as such is being abolished I am not aware whether as a result there will be drastic economy in expenditure as some if not all its functions will continue to be performed under different ministerial direction.

(b) The Press Information Bureau is being retained I hope that as a result of certain measures now being taken it will continue to be of assistance to the Press and through the press to the public in the different conditions of the present day So long as it remains in being the expenditure on it is likely to be much more than in the years before the war.

Mr. Manu Subedar: Will this Government follow the good example of the United Kingdom Government in abolishing the British Ministry of Information, and abolish the separate Information Department which they have instituted during the war?

The Honourable Sir Akbar Hydari: Sir, we need not follow the example of His Majesty's Government in all respects.

Prof. N. G. Ranga: Are we to understand that the Government of India has much more to publicize than the British Government?

The Honourable Sir Akbar Hydari: You may think what you like

Sri M. Ananthasayanam Ayyangar: May we know if they are proposing to reduce the expenditure on this to any level or to the level of the pre-war period?

The Honourable Sir Akbar Hydari: I have already said in answer to part (b) of the question, that the expenditure now will be much more than in pre-war days

Sri M. Ananthasayanam Ayyangar: What is the present expenditure and what is the probable estimate?

The Honourable Sir Akbar Hydari: On the Press Information Bureau, the expenditure for 1945-46 anticipated is Rs 15,82,000 The proposed budget for 1946-47 is Rs 15,00,000

Sri M. Ananthasayanam Ayyangar: May I know what the pre-war expenditure in 1938-39 was?

The Honourable Sir Akbar Hydari: Rs. 2,41,000.

Sri M. Ananthasayanam Ayyangar: What is the object in maintaining the same level now, and what steps are being taken to see if it is possible to curtail the expenditure? What is the further programme of work that is set on foot?

The Honourable Sir Akbar Hydari: It is difficult to explain this by process of questions and answers If the Honourable Member will come and see me, I will give him a full explanation.

Sri M. Ananthasayanam Ayyangar: I wanted for the information of the whole House.

The Honourable Sir Akbar Hydari: It will take the time of the House if I proceed to make a speech.

"UNITED PUBLICATIONS" AND OTHER PUBLICATION AGENCIES

193. *Sri M. Ananthasayanam Ayyangar: Will the Honourable Member for Information and Broadcasting please state:

(a) if his Department is responsible for "United Publications" which produces certain books;

(b) if there are any other agencies for which the Department is responsible;

(c) the names of any books or pamphlets which these agencies have brought out so far, together with their authors and their prices, and whether they are all available in the Library of the Central Legislature;

(d) where these publications are printed, and in case they are not printed in the Government Press what amounts have been so paid so far and to whom towards the printing and other charges; and

(e) the number of people—officers and Assistants—employed in the bringing out of these publications, with their designations and the salary they are drawing?

The Honourable Sir Akbar Hydari: (a) Yes.

(b) Certain publications are produced by All India Radio, the Press Information Bureau, the Field Publicity Organisation and Information Films of India.

(c) to (e). A list of magazines in regular production by the Publications Division with their prices is placed on the table of the House. They are available in the Library of the Legislature. They are printed partly in the Publications Division Press and partly at presses at various places in India. The total amount at present paid to private presses is approximately Rs. 21,500 per month. The total number of persons employed in the Publications Division is 254, made up of 20 officers and 234 others. A detailed list of these officers and members of the staff is available in the Library of the Legislature.

As regards similar information in respect of other agencies under this Department, a statement is laid on the table.

Name of the magazine	Language in which produced	Price per copy Rs. A. p.
Al Nafir	Arabic	1 0 0
Shaipur	Persian	1 0 0
Ahnag (Bilingaul)	English and Persian	1 0 0
Taj Mahal	Afghan-Persian	0 4 0
Al Arab	Arabic	1 0 0
Lyetopis Indu	Russian	1 0 0
Perspective	English	1 8 0
India	English and Chinese	0 4 0
Ajkal	Urdu	0 6 0
Ajkal	Hindi	0 6 0
Naunihal	Urdu	0 4 0
Heyday	English	0 4 0
Foreign Review	English	0 6 0
Zhwand	Pushtu	0 4 0
Indian Trade Bulletin	English	0 2 0
Onward	English	0 8 0
Dunya (Bilingaul)	English-Roman Urdu	0 4 0
	English Hindi	0 4 0
	Urdu-Pushtu	0 4 0
	English-Russian	0 4 0
	English-Persian	0 4 0

NOTE.—Prices given are those for sale in India. Prices for sale in foreign countries, vary, and are expressed in the currency of those countries.

Name of agency	Name of publication	Whether available in the Library of the Legislature	Where printed. If not at Government Press, why not	Monthly cost	Staff employed in editing and printing and their salaries
All India Radio . . .	Indian Listener (English)	No.*	Latifi Press, Delhi . .	42,169	Editor, Rs. 500—25—700. Asstt. Editor, Rs. 200—15—450. 3 Sub-Editors, Rs. 150—10—300 for Indian Listener, Awaz and Sarang.
	Awaz (Urdu) . . .	No*	Jayyad Press, Delhi . .	56,822	
	Sarang (Hindi) . .	No*	Do. . .	32,746	
	Betar Jagat (Bengali) .	No*	The General Printers & Publishers, Calcutta.	8,257	Asstt. Editor, vacant (Scale Rs. 200—15—450).
	Vanoli (Tamil) . .	No*	St. Joseph Industrial School Press, Trichinopoly.	31,910	Asstt. Editor. vacant (Scale Rs. 200—15—450).
Field Publicity Organization	Speakers Digest (English).	No*	Government of India Press.	711	No Staff is exclusively employed for Speakers Digest. The Production Officers of the Field Publicity Organisation produce it. This staff consists of— 1. Production Officer, Rs. 1,000—50—1,100. 2. Writers, Rs. 700—50—1,000. 3. Junior Writers, Rs. 400—20—600.

Press Information Bureau	Indian Information (English)*	Yes	Civil and Military Gazette Press, Lahore.	4,747 (exclusive of cost of paper which is supplied by Controller of Printing and Stationery).	1 Information Officer, Rs. 700—50—1,1000. 1 Asstt. Information Officer, Rs. 400—20—500—25—600. 1 Journalist, Rs. 300—10—400.
	Markazi Itilaa (Urdu)	Yes	Mufide-Am Press, Lahore	1,417 (exclusive of cost of paper)	2 Asstt. Information Officers, Rs. 400—20—500—25—600. 2 Journalists, Rs. 200—10—300 for Markazi Itilaat and Bhratiya Samachar.
	Bharatiya Samachar (Hindi)	Yes	Do.	1,400 (exclusive of cost of paper)	
Information Films of India	IFI News (English).	No*	New Era Printing Press, Bombay.	125	No separate staff is employed for the production of IFI News and IFI Annual. The work is done by Public Relations Officer (Pay Rs. 600—20—750) and one Technical Assistant on Rs. 160—10—200 in addition to their other duties.
	IFI Annual (English)	No*	Wagle Process Studio & Press, Ltd., Bombay.	417	
			(With the exception of Speakers Digest none of the publications are of a nature for which the Govt. of India Presses are equipped).		

*The question of supplying these publications is being taken up.

Prof. N. G. Ranga: What is the purpose these publications are supposed to serve? Is it to advance adult education in this country or elementary education?

The Honourable Sir Akbar Hydari: It is difficult to answer this question. These publications are both for purposes of internal publicity as well as external publicity, and the objectives are different. In respect of publications which deal with internal publicity, they are educational and informative in their objective; I cannot say whether it is in aid of elementary education or secondary education. In regard to the publications which are meant for the Middle East, and now will be meant for countries of the Far East, they will be in aid of India's efforts to expand her commerce and knowledge of the countries with which she is intimately connected.

Mr. President: Next question.

EDITOR OF *Perspective*

194. *Sri M. Ananthasayanam Ayyangar: Will the Honourable Member for Information and Broadcasting please state:

(a) whether one Miss Ouwerkerke is the editor of a publication called *Perspective* published by the United Publications; and, if so, what her nationality is and how she was recruited for the post and what she is paid;

(b) if any of these publications are meant as propaganda; and, if so, the object of such propaganda;

(c) if persons with the necessary qualifications for writing such books could not be found in India itself, and

(d) how long it is proposed to continue these publications and the staff engaged to bring out such publications?

The Honourable Sir Akbar Hydari: (a) Yes. Her salary is Rs. 850 in the scale of Rs. 800—50—1,000.

(b) Yes, in support of India's interests, commercial, cultural, etc.

(c) Yes, a good many are Indians.

(d) The question is under examination.

Sri M. Ananthasayanam Ayyangar: What are the qualifications for being the editor of the publication called *Perspective* and for being employed on Rs. 800.

The Honourable Sir Akbar Hydari: I will give the Honourable Member the information later.

Mr. Manu Subedar: The Honourable Member has not replied with regard to the nationality of this person in (a) of the question.

The Honourable Sir Akbar Hydari: She is a British subject.

Prof. N. G. Ranga: Is she also an expert in this matter that she should have been brought to this country and paid this high salary?

The Honourable Sir Akbar Hydari: She is a very competent worker I understand. But I will give the Honourable Member information as to her qualifications. I am sorry I have not got them.

An Honourable Member: She became an expert after she got the job?

Lt.-Col. Dr. J. C. Chatterjee: She is an Honours Graduate of Cambridge and has had 25 years' of teaching experience in first rate colleges in this country.

Prof. N. G. Ranga: Are we to understand that the Government has failed to find an equally competent Cambridge Graduate among the Indian women and therefore they have chosen this particular lady and given an opportunity for my Honourable friend to defend her.

Mr. President: Order, order.

Shri Sri Prakasa: May we know how the name is pronounced?

Lt.-Col. Dr. J. C. Chatterjee: "Ouwerkerke".

Shri Sri Prakasa: "Our care"! Not their care!

Sri M. Ananthasayanam Ayyangar: What steps have been taken to find out persons of the necessary qualifications with regard to part (c) in India itself?

The Honourable Sir Akbar Hydari: Persons with the necessary qualifications for the writing of books can be found in India. I have answered that a good many are Indians in the publications division of which Miss Ouwerkerke is a member. There are quite a considerable number of Indian writers, both men and women.

Shri Sri Prakasa: Does it rhyme with "Savarkar"!

Mr. President: Next question.

GIRLS IN UNIFORM FOUND DEAD ON AGRA-DELHI ROAD

195. ***Sri M. Ananthasayanam Ayyangar:** Will the War Secretary please state:

(a) if his attention has been drawn to the article in *Bliss* of the 22nd December, 1945, headed "The Girl in Uniform: India's Hardest Problem", and to the allegations made therein;

(b) the details of the incident said to have been witnessed by the author of the article on the 15th December, 1945, on the Agra-Delhi Road, where two soldiers were found being attended by some officers with the horribly mutilated corpses of two girls lying nearby;

(c) the names of the two soldiers and of the two girls in question, together with any report that was called for or made on the occurrance; and

(d) if the relatives of the dead girls were communicated with?

Mr. P. Mason: (a) Yes, Sir.

(b) At about quarter past four in the afternoon of the 15th of December last a jeep ran off the Delhi-Agra Road about 20 miles north of Agra, hit a tree, rolled over 3 times and finally came to rest on its wheels about 35 yards from the place where it left the road. The four occupants were thrown out, two girls being killed instantly and the two men seriously injured.

(c) Sergeants R. J. Martin and H. Goad of the American Army, Miss Dorothy Clark and Miss Thelma Reid Government have seen the report on the accident which was made by the American military authorities.

(d) Yes, Sir.

Sri M. Ananthasayanam Ayyangar: What steps have been taken to punish those persons who are guilty of this?

Mr. P. Mason: Guilty of what?

Sri M. Ananthasayanam Ayyangar: Is this due to an accident or due to anything else? I did not follow the answer. That is why I asked my Honourable friend to read slowly and loudly.

Mr. P. Mason: Do you want me to read it all over again?

(Mr. P. Mason then read the answer again.)

Mr. Manu Subedar: Have Government enquired into the circumstances under which these two girls came to be with these two soldiers and for what purpose?

Mr. P. Mason: Certainly not.

Sri M. Ananthasayanam Ayyangar: Was any compensation given?

Mr. President: Next question.

RESIGNATIONS OF COL. RANGA RAO AND OTHERS FROM W.A.C.(I) ORGANISATION

196. ***Sri M. Ananthasayanam Ayyangar:** Will the War Secretary please state:

(a) the circumstances which led to the resignation of Col. Ranga Rao from the W.A.C.(I) Organisation;

(b) the circumstances which led to the resignations of the other officers mentioned in the article, Mrs. Srinivasa, Mrs. Vasi and Miss Pauline Thomas;

(c) whether any more officers resigned from the W.A.C.(I) in any period before the end of the hostilities in August, 1945, and, if so, their names, and why they resigned;

(d) how long it is proposed to continue this W.A.C.(I) Organisation, and for what purposes;

(e) the number of Europeans, Anglo-Indians and Indians in the W.A.C.(I) together with their designations and the salaries they are paid; and

(f) whether their duties cannot be performed by men, in view of army demobilisation and general unemployment in the country?

Mr. P. Mason: (a) Miss Ranga Rao was appointed Deputy Director W.A.C. (I) with the acting rank of Controller on the 20th December 1944.

Before joining the Corps Miss Ranga Rao was informed of the nature of the duties which she would perform which were as follows:

(i) To act in an advisory capacity to the Director W.A.C.(I) in all matters concerning Indian members of the Corps.

(ii) To take over from the other Deputy Director the duties as she learnt them, she was to perform as a staff officer. This necessitated a detailed knowledge of all W.A.C.(I) terms of service and regulations.

(iii) To carry out tours of inspection. This included inspections of Hospitals and messing arrangements, investigation into morale and women management and contact with prominent Indian ladies for propaganda purposes.

In March 1945 Controller Warren was appointed Deputy Director in place of Controller Douglas. Miss Ranga Rao protested against this appointment on the ground that she had not been consulted regarding the change and that she had been superseded. It was then explained to her that Controller Warren had joined the Corps in September 1942 whereas Miss Ranga Rao had only three months' service and moreover such appointments were made by a Selection Board.

In May 1945 Controller Ranga Rao asked that she might be relieved of her duties as Deputy Director as she considered that she was not being consulted in matters of policy and that she was not permitted free access to files. It was explained that all senior officers in the Directorate were given the opportunity of expressing their views on all questions and that decisions were taken with due regard to the advice made. Major questions of policy were decided not in the W.A.C.(I) Directorate but by the A. G. or War Department.

When asking to be relieved of her duties as Deputy Director Miss Ranga Rao had expressed her willingness to revert to the position of Honorary Adviser, an appointment which had been originally suggested. However after further deliberation she decided to resign her commission, and this resignation was regretfully accepted on the 1st September, 1945.

(b) Mrs. Srinivasa, and Miss Pauline Thomas resigned from the Corps in October 1945 as a protest against alleged discrimination.

Junior Commander Vasi was permitted to resign her commission in June 1945 on her marriage.

(c) Junior Commander Henry, 4/Officer Bonner and Junior Commander Wahid tendered their resignations on account of the alleged discrimination in the Corps and their resignations were accepted on the 5th October, 23rd October and 5th December, 1945, respectively.

Junior Commander Arunbhati was released from the Corps with effect from the 5th May 1945, in order to undertake work of National importance in a civilian capacity.

2nd Officer Naidu was permitted to resign her commission on the 14th August 1945, on the occasion of her marriage.

The 4th Officer Bhagwat was permitted to resign her commission with effect from the 22nd August on medical grounds.

(d) It has been decided to disband the W.A.C.(I) Organisation.

(e) I lay a statement on the table.

(f) In view of the decision to disband the W.A.C.(I) the duties hitherto performed by them will gradually be taken over by men.

W.A.C. (I) Officers

	British	Indian	Anglo-Indian	Others	Total	Pay
S. Controller	1	..	..	..	1	980
Controller	4	..	..	..	4	865
Ch. Comdr.	12	1	..	..	13	575
Sen. Comdr.	67	4	8	3	82	380
Jun. Comdr.	287	47	92	14	440	220
Subaltern	83	18	32	4	137	175
2/Subaltern	55	17	27	6	105	150
Total.	509	87	159	27	782	

W.R.I.N. Officers

Ch. Officer	1	..	..	..	1	575
1st Officer	8	..	..	..	8	380
2nd Officer	42	13	8	3	66	220
3rd Officer	48	33	18	3	102	175
4th Officer	18	19	11	2	50	150
Total.	117	65	37	8	227	
Grand Total	626	152	196	35	1,009	

Auxiliaries

	Total	Pay
W. O. I	192	185
W.O. II	113	145
S/Sgt	650	140
Sgt.	2,174	Varies between 115 and 135 according to trade.
L/Sgt.	505	Varies between 110 and 130 according to trade.
Cpl.	1,299	Varies between 105 and 130 according to trade.
L/Cpl.	699	Varies between 100 and 120 according to trade
Private	3,985	Varies between 95 and 125 according to tarde.
Grand Total	9,567	

The Total of 9,567 Auxiliaries consists of:—

British	Indian	Anglo-Indian	Others	Total
1,112	4,077	3,956	422	9,567

Mr. Manu Subedar: May I know why Government has not held an enquiry into the alleged discrimination complained of by so many officers of the W.A.C. (I)? And if they have not done so up till now, will they consider holding such an enquiry in the near future to allay public feeling on the subject?

Mr. P. Mason: Departmental enquiries have been held.

Mr. Manu Subedar: Will Government appoint a committee of enquiry of this House and take up the challenges these W.A.C.(I) women have so frequently made?

Mr. P. Mason: I think it would be a waste of public time since the W.A.C. (I) is to be disbanded.

Mr. Manu Subedar: What have Government to fear if the allegations are wrong, may I know?

Mr. P. Mason: The only reason is that it would be a waste of time since it has been decided to disband the Corps.

Mr. Manu Subedar: Why have Government decided to disband the Corps instead of maintaining a useful Corps, if it was useful? If it is due entirely to alleged racial discrimination, why not hold an enquiry as demanded by public opinion throughout the country and the press.

Mr. P. Mason: The reasons for the disbandment of the Corps have been explained in the Statement on the 30th of last month.

Mr. President: The question hour is now over.

(*b*) WRITTEN ANSWERS

OFFICERS IN GENERAL HEADQUARTERS

197.*Sri M. Ananthasayanam Ayyangar: Will the War Secretary please state:

(a) if his attention has been drawn to the letter in the *Hindustan Times* of the 24th December, 1945, about the number of officers in the General Headquarters;

(b) the number of the King's Commissioned Officers in the General Headquarters, (i) Indian, and (ii) British and others on the 1st of July, 1945;

(c) the number of similar officers on the 1st January, 1946;

(d) the number of British personnel other than officers in the General Headquarters on the 1st July, 1945, and on the 1st January, 1946;

(e) the number of Indian personnel as (i) V.C.O s, (ii) clerks and Assistants, and (iii) Superintendents and above on the 1st July, 1945, and on the 1st January, 1946;

(f) if any retrenchment has been carried out so far in the General Headquarters after the close of the war; and, if so, to what extent;

(g) whether any officer has been put on special duty in this connection to retrench superfluous personnel both British and Indian; and

(h) whether any instructions have been issued with a view to replacing such British personnel as may be left, by Indian personnel within a specified period; and, if not, why not?

Mr. P. Mason: (a) Yes, Sir.

(b) Military commissioned officers (actual strength) in G.H.Q. on 1st July 1945:

(*i*) Indian	351
(*ii*) British and others	1,975

(c) Military commissioned officers (actual strength) in G.H.Q. on 1st January 1946:

(*i*) Indian	354
(*ii*) British and others	1,542

(d) British personnel (Other than officers) (actual strength) in G.H.Q.:

1-7-45	1,298
1-1-46	1,020

(e) Indian personnel (Actual strength):

	1-7-45	1-1-46
(i) VCOs	235	235
(ii) Clerks and Assistant	5,527	5,750
(iii) Superintendents and above	694	691

(f) The sanctioned establishment of G.H.Q. has been reduced to the following extent since the termination of hostilities:

Officer establishment	640
Subordinate establishment	439

(g) No, Sir. We are trying to avoid any new appointments.

(h) No, Sir. No such instructions have been issued; but the percentage of Indian personnel will steadily increase as temporary British personnel are able to obtain their release from war service for which they are in almost all cases very anxious.

DEMOBILIZATION POLICY

198. *Sri M. Ananthasayanam Ayyangar: (a) Will the War Secretary please state the policy of Government for demobilisation both in respect of British and Indian soldiers?

(b) What is the period within which demobilisation will be complete?

(c) What is the number of British, Indian officers and other ranks to be so demobilised?

(d) What is the proposed strength of Land Force, Air Force and Naval Force intended to be kept in India both British and Indian as the Standing army?

(e) Has any provision been made for re-employment of demobilised soldiers? If so, what are the broad outlines of such a measure?

Mr. P. Mason: (a) The general policy for the demobilization of personnel of the British Army is determined by H.M.G. and the responsibilities in this respect of the Government of India are mainly confined to the despatch of such personnel to the U K.

The policy of the Government of India with regard to the Indian Forces is on similar lines to that adopted in the U K. and is directed towards securing a phased reduction of the Indian Armed Forces to a strength in accordance with post-war requirements.

The system adopted is one of release by groups. Each person is allotted a priority group based on his age plus length of war service. Each group is released simultaneously wherever located. This is known as Class A release.

The system also permit of Class B release in advance of their normal turn in the case of personnel who are required for urgent work of national reconstruction. There is also provision for Class C release on compassionate grounds.

There is however a fundamental difference in that while most British personnel are anxious to return to civil life, the majority of the Indian Army wish to serve on as long as they can. All volunteers for release are therefore permitted to go before age and service groups begin to operate.

(b) It is not yet possible to state when demobilization will be finally completed. By 1st April 1947 the vast majority of personnel surplus to peace requirements will have been disposed of.

(c) It is estimated that the following will have been demobilized by 1st April 1947:

British Officers	32,000
Indian Officers	7,000
B.O.Rs.	180,000
V. C. Os., I. O. Rs. & N. Cs. E.	1,540,000

(d) The strength of the forces required for the defence of India in peace is still being discussed. Whether any of them will be British will be a matter for the decision of the future Government.

(e) Yes, Sir. I am laying on the table a progress report* prepared by the Department of Labour covering the period 18th July to 31st December, 1945, copies of which will be available in the Library of the House. The report gives details of the Employment Exchange Organisation and of a number of training schemes. Provincial Governments also have schemes in readiness including land colonization schemes exclusively for the benefit of ex-servicemen.

DETENTION OF SARDAR SARDUL SINGH CAVEESHAR

199. *Sardar Mangal Singh: Will the Honourable the Home Member please state:

(a) when Sardar Sardul Singh Caveeshar, President of the Forward Bloc was arrested;

(b) the charges against him and what replies he gave to them;

(c) the special reason why Sardar Sardul Singh Caveeshar has not been released so far while all the other prominent members including Shri Sarat Chandra Bose have been released; and

(d) whether Government will make a comprehensive statement as to the reasons why Sardar Sardul Singh Caveeshar has been selected for such a treatment; whether it is the Punjab Government that stands in the way of his release as has been stated by a section of the Punjab Press?

The Honourable Sir John Thorne: (a) On 9th March, 1942.

(b) I cannot undertake to give any information about the charges intimated to him or his replies thereto.

(c) and (d). As I have already informed the House, the question whether he should be released before the present order of detention expires is under consideration. The Punjab Government have been consulted; no reply has yet been received.

ILL-HEALTH OF SARDAR SARDUL SINGH CAVEESHAR

200. *Sardar Mangal Singh: Will the Honourable the Home Member please state:

(a) whether Government are aware that the official visitors including the present District Magistrate of Dharmshala where Sardar Sardul Singh Caveeshar is being detained for the last three years reported that Sardar Sardul Singh Caveeshar is suffering from rheumatism and that the climate of that place does not suit him;

(b) whether Government are aware that the Civil Surgeon of Dharmshala has written to the Punjab Government that the Sardar Sahib is suffering from rheumatism, that cold and rains of Dharmshala have aggravated his trouble, and that he should be given Diathermic treatment which is not available at that place;

(c) what action has been taken on these reports, or whether any medical treatment has been given to him as suggested by the Civil Surgeon; and

(d) whether these reports are sent to the Government of India; if not, whether the Honourable Member will call for them and take appropriate action in the matter?

The Honourable Sir John Thorne: (a) and (b). I have seen a report of the Civil Surgeon, Dharmshala recommending diathermic treatment for Mr. Caveeshar. I have not seen any report the climate of Dharmshala is injurious to his health. The Government of the Punjab have reported that it is on medical advice that he is kept there rather than in the plains.

(c) A report has been called for from the Punjab Government.

(d) The Government of India receive monthly health reports with respect to all their prisoners.

*Not printed in these debates, copies are available in the Library.

WITHDRAWAL OF INDIAN TROOPS FROM INDONESIA

201. *Sardar Mangal Singh: Will the War Secretary please state:

(a) what action, if any was taken on the adjournment motion passed by this House on the 21st January, 1946, regarding the withdrawal of Indian troops from Indonesia; and

(b) whether the copy of the debate was forwarded to His Majesty's Government, whether the Government of India also expressed their own opinion on the matter, and whether any reply was received from His Majesty's Government; if so, what that reply is?

Mr. P. Mason: (a) and (b). As I said a few minutes ago, a copy of the debate has been forwarded to His Majesty's Government. As I have also already explained, the Government of India and His Majesty's Government have both expressed their views on this subject.

INDIAN TROOP CASUALTIES IN INDONESIA

202. *Sardar Mangal Singh: Will the War Secretary please state:

(a) the total number of Casualties of the Indian troops in Indonesia suffered by them after the war with Japan ceased;

(b) the total number of the Indian troops employed in Indonesia in January, 1946; and

(c) whether any further reinforcement was also sent or will be sent in the near future?

Mr. P. Mason: (a) and (b). I would invite the attention of the Honourable Member to my reply given a few minutes ago to part (c) of Mr. Gole's question No. 185.

(c) No, Sir.

HOME MEMBER'S INTERVIEWS WITH SARDAR SARDUL SINGH CAVEESHAR AND OTHERS

203. *Sardar Mangal Singh: Will the Honourable the Home Member please state:

(a) whether it is a fact that on or about the 21st January, 1946, Sardar Sardul Singh Caveeshar, the President of the Forward Bloc, was brought to the Delhi Jail and that the Honourable Member had an interview with him;

(b) whether the Honourable Member has had similar interviews with Mr. Jai Parkash Narain and Dr. Ram Manohar Lohia; and

(c) whether these interviews were held in connection with their release in the near future?

The Honourable Sir John Thorne: (a) to (c) I would refer the Honourable Member to the statement I made in this matter in connection with the adjournment motion moved by Mr. Mohan Lal Saksena in this House on the 25th January, 1946, on the subject detenus.

SUBSIDY TO *New Horizons*

204. *Haji Abdus Sattar Haji Ishaq Seth: Will the Honourable Member for Information and Broadcasting be pleased to state.

(a) whether the monthly journal "*New Horizons*" published from Allahabad is subsidized by Government, if so, to what extent;

(b) whether any financial help is given to this journal at least by way of purchasing a number of Copies; and

(c) whether his attention has been drawn to the article "Whether Indian Communists" in the January, 1946, number?

The Honourable Sir Akbar Hydari: (a) and (b). A thousand copies of each issue are purchased for distribution.

(c) Yes.

REVISION OF CASES OF MR. JAIPRAKASH NARAYAN AND OTHERS

205. *Shri Sri Prakasa: Will the Honourable the Home Member be pleased to state:

(a) when the cases of Mr. Jaiprakash Narayan, Dr. Ram Manohar Lohia, and Sardar Sardul Singh Caveeshar were last examined;

(b) when they were last informed of the charges against them; and what, if any, were the replies received from them;

(c) what orders were last passed on them continuing the detention, and what was the period specified for their further detention;

(d) the state of the health of all these persons, and the places of their present confinement; and

(e) the amenities provided for them on behalf of Government in the matter of books, correspondence, interviews and newspapers; and if they are permitted to supplement their food?

The Honourable Sir John Thorne: (a) The periodical review prescribed by law was last carried out in the cases of Messrs. Jayaprakash Narayan and Ram Manohar Lohia in November, 1945, and in the case of Mr. Sardul Singh Caveeshar in December, 1945. But their cases are considered at other times also and are being further considered now.

(b) The notices required by section 7 of Ordinance III were sent to Mr. Sardul Singh Caveeshar on the 8th February, 1944; to Mr. Ram Manohar Lohia on the 10th July, 1944; and to Mr. Jayaprakash Narayan on the 9th August, 1944. I cannot undertake to give information about any replies received thereto.

(c) Orders extending the period of detention of Messrs. Jayaprakash Narayan and Ram Manohar Lohia were passed in November, 1945 and of Mr. Sardul Singh Caveeshar in December, 1945. No period was specified therein.

(d) Messrs. Jayaprakash Narayan and Ram Manohar Lohia are in the Central Jail at Agra and Mr. Sardul Singh Caveeshar in the Jail at Dharmshala. The health of all is reported to be satisfactory except that Mr. Sardul Singh Caveeshar suffers from occasional pain in the back.

(e) Messrs. Jayaprakash Narayan and Ram Manohar Lohia are subject to the United Provinces' Security Prisoners' Rules and Mr. Sardul Singh Caveeshar to the Punjab Security Prisoners' Rules and they enjoy all the amenities provided therein.

I. N. A. PRISONERS

206. *Shri Sri Prakasa: Will the War Secretary be pleased to state

(a) the number of I.N.A. men at present—(i) kept by Government in custody without trial, and (ii) undergoing sentences in various prisons of India;

(b) the classification that is awarded to them; and

(c) the amount of money that is spent on each of them on an average?

Mr. P. Mason: (a) (i) On the 19th January, the number in India was 4,225.
(ii) 16

(b) As I have explained before, those who are in detention are treated as soldiers under arrest. As regards those who are under-going sentences in various prisons, they are treated as ordinary convicted criminal prisoners. One of them who is in an Indian Military Prison is governed by the rules for Indian Military Prisons.

(c) To work out actuarially a figure in answer to this part of the question would involve more time and labour than it would be worth.

"QUIT INDIA" ABSCONDERS

207. *Shri Mohan Lal Saksena: (a) Will the Honourable the Home Member be pleased to state the names of all those men and women who were declared absconders in connection with the 'Quit India' movement and against whom warrants have not been cancelled?

(b) Will Government consider the advisability of cancelling all such warrants?

The Honourable Sir John Thorne: (a) There are no such persons absconding rom the orders of the Central Government or Chief Commissioners.

(b) Does not arise.

"QUIT INDIA" PRISONERS

208. *Shri Mohan Lal Saksena: (a) Will the Honourable the Home Member be pleased to state how many prisoners, if any, convicted in connection with the 'Quit India' movement are still undergoing imprisonment?

(b) Did Government issue any instructions regarding their treatment in jail? f so, what?

(c) In view of the changed situation, will the Honourable Member consider he desirability of remitting their sentences?

The Honourable Sir John Thorne: (a) So far as the Central Government and Chief Commissioners provinces are concerned no prisoner is still undergoing imprisonment for offences committed during the disturbances beginning about he 9th August 1942.

(b) No instructions were issued for the treatment of such prisoners.

(c) Does not arise.

I. N. A. PRISONERS

209. *Shri Mohan Lal Saksena: (a) Will the War Secretary be pleased to ay a statement on the table giving the names of all the men and women of the . N. A. detained in India, with the dates of their detention as well as the places where they are detained?

(b) How many of them, if any, are detained in jails?

(c) Have any instructions been issued regarding their treatment? If so, what?

(d) How long will it take to examine the cases of the detenus?

(e) Is it not a fact that many of the detenus are not being given any allowance during the period of detention; nor are their dependents receiving family allotment?

(f) Have separate instructions been issued for treatment of those I. N. A. men who did not originally belong to the Indian Army? If so, what?

(g) What is the total number of women detained in connection with the I. N. A.? Have any special instructions been issued for their treatment? If so, what?

(h) Do Government propose to direct their early release?

Mr. P. Mason: (a) The preparation of such a statement would involve so much work and correspondence that I fear that by the time it was ready, most, if not all of them, would not longer be in detention.

(b) and (c). I would invite attention to answers to parts (a) (ii) and (b) of Shri Sri Prakasa's question No. 206, answered a few minutes ago.

(d) It is hoped to finish all the examinations in such cases by the 1st April 1946.

(e) No, it is not a fact.

(f) No, Sir.

(g) None.

The remainder of this part and also part (h) of the question do not arise.

TROUBLE BETWEEN SOLDIERS AND CLERICAL STAFF IN M. T. C. LUCKNOW

210. *Shri Mohan Lal Saksena: (a) Will the War Secretary be pleased to state if there was any trouble between the soldiers and the clerical staff in the M. T. C. at Lucknow? If so, does he propose to make a full statement about the incident?

(b) What action, if any, was taken against those at fault?

Mr. P. Mason: (a) and (b). There was a quarrel on the 22nd January 1946, between personnel of the Veterinary Corps and clerks of the Deputy Field Controller of Military Accounts, Lucknow. As far as is known the matter was settled, amicably by the removal of the Veterinary Corps personnel to other lines.

A full report on the incident has been called for by telegram and I hope to be able to give the Honourable Member further details when the report has been examined.

INDIAN TROOPS IN INDONESIA AND INDO-CHINA

211. *Shri Mohan Lal Saksena: (a) Will the War Secretary be pleased to state the total number of Indians belonging to Army, Navy and Air Force in Indonesia and Indo-China?

(b) Have any steps been taken to withdraw them since the censure motion was passed by the Assembly?

Mr. P. Mason: (a) I am afraid, Sir, that it would not be in the public interest to give the information.

(b) As explained in the debate, Sir, they will be withdrawn when the objects for which they went to Indonesia and Indo-China have been fulfilled.

ACCREDITED CORRESPONDENTS AT HEADQUARTERS

212. *Prof. N. G. Ranga: Will the Honourable Member for Information and Broadcasting please state:

(a) the total number of accredited correspondents at the headquarters, and the number of newspapers represented by each;

(b) if it is a fact that some correspondents claim to represent from six to twenty newspapers;

(c) if it is a fact that some accredited correspondents have been promoted from B to A class and that some have been demoted from A to B class; if so, whether any uniform policy has been followed in regard to all promotions and demotions; and

(d) if it is a fact that demotions are due to failure of correspondents to attend the Press Conferences; if so, whether all the absentee correspondents were treated uniformly; if not, why not?

The Honourable Sir Akbar Hydari: (a) 54. The number of papers represented varies in each case.

(b) No. The maximum number of newspapers represented by one correspondent does not exceed eight.

(c) and (d). Subject to the opinion of the concerned Advisory Committee I propose to abolish this system of class distinctions.

HIGH DENOMINATION CURRENCY NOTES

213. *Sri R. Venkatasubba Reddiar: Will the Honourable the Finance Member be pleased to state:

(a) the total number of issue of currency notes of each of the denomination of Rs. 10,000, 1,000 and 500 and the number in circulation on the 11th January, 1946;

(b) the total number of notes of each denomination stated above with the banks and treasuries on the 26th January, 1946;

(c) the total number of notes of each denomination stated above presented between the 12th and 26th January, 1946 to banks and treasuries for payment;

(d) the total number of notes of each denomination stated above that is still with the public;

(e) the total number of notes of each denomination stated above which have been presented but not paid for by banks and treasuries as a result of the Demonetization Ordinance; and

(f) what Government propose to do with the money represented by the notes which have been presented for payment but could not be paid?

The Honourable Sir Archibald Rowlands: (a) I assume that the Honourable Member desires to know the value and number of high denomination notes in circulation on the 11th January, 1946. The relevant statistics are:

Denomination	Value (Rs.)	Number
Rs.		
500	26,18,000	5,236
1,000	1,19,70,11,000	11,97,011
10,000	24,00,40,000	24,004
Total value Rs.	1,43,96,69,000	

(b) High denomination notes ceased to be legal tender as from the 12th January, and it is unlikely that banks and treasuries would have kept any such notes with them on the 26th January. In any case, there is no means of knowing how many of these notes still remained with banks and treasuries on the 26th January without making a widespread enquiry involving an amount of time and labour which would not be justified by the results.

(c) The total value of high denomination notes exchanged at the offices of the Reserve Bank, scheduled banks and treasuries between the 12th January and the 26 January 1940 on the basis of the latest available figures is as follows:

Rs.	Rs.
500	12,37,500
1,000	85,58,13,000
10,000	15,99,70,000
	1,01,70,20,500

(d) It is not possible to give the information required as exchanges of high denomination notes are still proceeding and up to date figures from all centres have not yet been received

(e) The figures are not yet available as doubtful cases are still being referred to the Central Government. I may however say that out of a total outstanding of about Rs. 143·97 crores as on the 11th January, 1946, approximately Rs. 109 crores were exchanged by the 1st February and so far no declaration has been rejected

(f) As it is not the intention to refuse payment if the required information is furnished by declarants and sufficient reasons are given for non-presentation within the prescribed time, the question does not arise.

OVER-ASSESSMENT OF SALES PROFITS FOR INCOME-TAX PURPOSES

214. *Seth Govind Das: (a) Will the Honourable the Finance Member be pleased to state if it is a fact that the income-tax authorities have been calculating profits at more than 20 per cent on sales, even though the statutory ordinance under the Defence of India Rules and the rules made thereunder, has fixed the maximum profits of 20 per cent on the landing cost or the manufacturing cost?

(b) If the answer to (a) is in the affirmative, does this kind of assessment not contravene the statutory provisions?

(c) Does the Honourable Member propose to furnish the total number of cases in which profits have been calculated at more than 20 per cent. over and above the landing cost, in the account year when these ordinances were in force?

(d) What relief do Government propose to grant in all such cases of over assessments?

(e) Do Government propose to issue instructions for the early refund of income-tax collected in excess in this manner?

The Honourable Sir Archibald Rowlands: (a) On the assumption made by the Honourable Member that the actual profit is 20 per cent. the answer is in the negative. But where the assessee is unable to satisfy the Income-tax

Officer that this was his actual rate of profit and there is reason to believe that he made a higher rate of profit such higher rate is adopted in making his assessment.

(b) No.

(c) The time and labour involved in collecting the information would not be commensurate with any result that may be expected to be achieved.

(d) and (e). If the assessee has reason to think that he has been over-assessed, he can have recourse to the ordinary appellate procedure.

DISALLOWANCE OF MUNICIPAL TAXES FOR INCOME-TAX PURPOSES

215. *Seth Govind Das: (a) Will the Honourable the Finance Member please state if it is a fact that the income-tax authorities have started disallowing Municipal taxes, held allowable under section 9 of the Indian Income Tax Act, from this year without any justification and even in spite of the clear ruling of the Allahabad High Court on this issue, during the assessment year 1945-46?

(b) If the answer to (a) is in the affirmative, does the Honourable Member propose to issue instructions allowing such deductions?

The Honourable Sir Archibald Rowlands: (a) The Allahabad High Court judgment which the Honourable Member has in view is under appeal to the Privy Council. Pending the Privy Council's decision on this question, it is open to the Department to follow in other cases the view of the law contended by them to be correct, particularly as that view is supported by the judgments of two other High Courts. But to avoid any hardship instructions have been issued that where the assessee objects to the disallowance of Municipal taxes, the payment of tax on the income in dispute, if it exceeds Rs. 10 in a single case, should be held in abeyance till the judgment is pronounced by the Privy Council.

(b) Does not arise.

REJECTION OF STATEMENTS MADE ON AFFIRMATION FOR INCOME-TAX PURPOSES

216. *Seth Govind Das: (a) Will the Honourable the Finance Member please state if it is a fact that in day to day practice and administration of the Income Tax Act the facts affirmed in a statement on Oath and affidavits, are summarily rejected without even an attempt to rebut them?

(b) If the answer to (a) is in the affirmative, does the Honourable Member propose to issue necessary instructions on this subject?

The Honourable Sir Archibald Rowlands: (a) I am informed that statements made on oath or in affidavits are not rejected without sufficient reason.

(b) Does not arise.

ASSESSMENT OF FLAT RATES ON SALES FOR INCOME-TAX PURPOSES

217. *Seth Govind Das: (a) Will the Honourable the Finance Member please state the percentage of cases in which, in spite of the production of adequate material, recourse to section 13 of the Income Tax Act, has been adopted by applying arbitrary flat rates on sales?

(b) Is any method or data prepared in those cases where percentage on flat rate basis in sales is being adopted?

(c) Does the Honourable Member propose to issue instructions whereby assessments on flat rate basis be adopted by actually considering the trading conditions of a particular business in a particular accounting period?

The Honourable Sir Archibald Rowlands: (a) The time and labour involved in the collection of the information would not be commensurate with any result that may be expected to be achieved.

(b) In cases where the assessable income has to be assessed at by the application of an estimated rate, such rate is normally arrived at after taking into account all available data relating to the particular assessee, and also the general condition of the business or trade that he was engaged in during the period in question.

(c) In view of the reply to part (b) no instructions are called for.

HINDI-URDU POLICY OF ALL-INDIA RADIO

218. *Pandit Balkrishna Sharma: (a) Will the Honourable Member for Information and Broadcasting please reveal the nature of discussions held by him in connection with the Hindi-Urdu-Policy of the All-India Radio with the Advisory committee appointed by him consisting of Dr. Tarachand, Dr. Zakir Husain, Mr. Abdur Rahman Siddiqi, and Rao Bahadur Shri Narayan Mehta?

(b) Has the attention of the Honourable Member been drawn to the fact that the All-India-Hindi Sahitya Sammelan, in protest against the Anti-Hindi Policy of the All-India Radio, has passed a resolution at its Jaipur session asking the Hindi writers, poets, story-writers, play-wrights and novelists not to participate in the programmes of the All-India Radio?

(c) Were any decisions regarding the Hindi-Urdu controversy taken in the conference with the Advisory Committee mentioned in (a) above?

(d) What criterion was followed in selecting the members of the Advisory committee?

(e) Is he aware of the protests made by the Hindi Press and Hindi Literary Institutions against the composition of the committee?

(f) Does he intend making any changes in the personnel of the said committee, in view of the dissatisfaction prevailing in the Hindi speaking public?

The Honourable Sir Akbar Hydari: (a) and (c). The attention of the Honourable Member is invited to the Press Note which was issued by Government on the 5th February, 1946.

(b) Yes.

(d) Suitability.

(e) Yes, from some; but on the whole there has been remarkably little criticism of its composition.

(f) The Committee has concluded its work.

RECRUITMENT OF HINDI URDU SCHOLARS FOR ALL-INDIA RADIO

219. *Pandit Balkrishna Sharma: (a) Will the Honourable Member for Information and Broadcasting please state how many scholars of Urdu and Hindi were employed by the All-India Radio for preparing the lexicon of the so-called Hindustani words?

(b) Were they recruited through the Federal Public Service Commission or through some departmental Commission?

(c) Were they employed by the All-India Radio? If so, who was the ultimate recruiting authority?

(d) What are the names of the scholars to whom the work of preparing the lexicon was entrusted?

(e) Is the Honourable Member aware of the fact that in the beginning only one scholar of Urdu was appointed and that the Hindi scholar was employed only when the work on the lexicon had progressed far enough?

(f) Will the Honourable Member state since when Urdu and Hindi scholars have begun their work on the lexicon respectively?

(g) Is the Post of the Hindi Scholar still vacant? If so, why?

(h) Is the lexicon meant to be used for preparing the *Hindustani News Bulletin*?

(i) Were any experienced journalists of Urdu and Hindi appointed for preparing the lexicon?

(j) Who was entrusted with the work of suggesting finally the words suitable for the All India Radio?

(k) Is it a fact that the Director General of the All India Radio had the final voice in selecting the words?

The Honourable Sir Akbar Hydari: (a) Five; two or three at a time

(b) No.

(c) Yes; Director General, All-India Radio.

(d) Dr. Akhtar Hussain, Mr. Chiragh Hassan Hasrat, Mr. S. H. Vatsayan Dr Yadu Vanshi, Mr. Rafiq-uddin Ahmed.

(e) No.

(f) Both began this work in July 1940.

(g) The work of compiling the Lexicon was finished in August 1944.

(h) Yes.

(i) Yes.

(j) The scholars engaged on this work.

(k) No. It is proposed to invite the views of suitable experts on the Lexico and to finalise it in the light of the views received.

SMALL CAUSES COURTS IN DELHI PROVINCE

220. *Babu Ram Narayan Singh: Will the Honourable the Home Membe please refer to Sections 5, 6, 7 and 8 of the Provincial Small Causes Courts Ac (No. IX of 1887) and state:

(a) the places within the territories under the Delhi Province Administratio whereat a Court of Small Causes has been established;

(b) the local limits of the jurisdiction of the said court; and

(c) the time fixed since 1912 at which the said court will sit?

The Honourable Sir John Thorne: (a) At Kashmere Gate Delhi.

(b) The area within the boundaries of the Delhi Municipality, the New Delh Municipality, the Civil Station Notified Area, the Fort Notified Area and Delh Cantonments.

(c) From 10 A.M. to 4 P.M.

RENT SUITS JURISDICTION OF DELHI SMALL CAUSES COURT

221. *Babu Ram Narayan Singh: Will the Honourable the Home Membe please refer to item (8) of the Second Schedule to the Provincial Small Cause Courts Act (No. IX of 1887) and state the particulars of the notifications unde which the Local Government of the Delhi Province has expressly invested th Judge of the Court of Small Causes with authority to exercise jurisdictions witl respect to a suit for the recovery of rent, other than house rent and including rent for electric meters installed for recording the consumptions of electri supply?

The Honourable Sir John Thorne: No such notification has been issued.

PECUNIARY JURISDICTION OF DELHI SMALL CAUSES COURT

222. *Babu Ram Narayan Singh: Will the Honourable the Home Membe please refer to Sub-Section (2) of Section 15 of the Provincial Small Cause Courts Act (No. IX of 1887) and state the particulars of the notification unde which the Local Government of the Delhi Province has expressly specified th value of suits of a civil nature to be cognizable by a Court of Small Cause within the Delhi Province?

The Honourable Sir John Thorne: No such notification has been issued.

REPORTED DEATH OF "NETAJI" BOSE

223. *Sardar Mangal Singh: (a) Will the Honourable the Home Membe please state whether Government have made enquiries about the reported deat of Netaji?

(b) What is their information whether Netaji has really died or whether h is still living and is hiding somewhere as suggested by Mahatma Gandhi?

The Honourable Sir John Thorne: (a) and (b). Government have taken steps to verify the reports of Mr. Subhas Chandra Bose's death by reference to Admiral Mountbatten's and General McArthur's Headquarters. The information received from the Japanese Government and their agencies through these channels is that the aircraft in which Mr. Bose was travelling to Japan crashed during the take off at Taihoku Airfield on August 18th, 1945, and that he succumbed to injuries sustained during the crash.

EMERGENCY COMMISSIONED OFFICERS APPLYING FOR CIVIL APPOINTMENTS

224. ***Sardar Mangal Singh:** (a) Will the Honourable the Home Member please state the number of Emergency Commissioned Officers who have so far applied for civil appointments?

(b) How many of them have been selected, and what is the total number of vacancies which are to be filled by these officers and others with approved war services?

The Honourable Sir John Thorne: (a) The number of applications received so far from 'war service' candidates including Emergency Commissioned Officers for the reserved vacancies in the Secretary of State's and Central Services is 11,112. No separate information regarding the number of applications from the Emergency Commissioned Officers is available.

(b) The total number of vacancies that have been held in reserve for 'war service' candidates is 336 in the Secretary of State's Services and 468 in the Central Services. The preliminary selection of candidates for these vacancies has begun but it will take some time before it is completed and final appointments made.

EMERGENCY COMMISSIONED OFFICERS APPLYING FOR PERMANENT COMMISSIONS

225. ***Sardar Mangal Singh:** (a) Will the War Secretary please state the number of Emergency Commissioned Officers who had applied for permanent Commissions?

(b) How many of them have so far been selected for permanent Commissions?

(c) Are Government satisfied with the number of suitable officers coming up for permanent Commissions?

Mr. P. Mason: (a) 3,655.

(b) 277.

(c) Yes, Sir.

REPORT OF ARMY REORGANIZATION COMMITTEE

226. ***Sardar Mangal Singh:** (a) Will the War Secretary please state when the report of the Army Reorganization Committee will be ready and made available to the members of this House?

(b) Has the Small Committee appointed to consider the question whether V.C.Os. should or should not be retained in the Army, submitted any report?

(c) What is its recommendation about the retention or otherwise of the V.C.Os?

Mr. P. Mason: (a), (b) and (c). Both the Reorganisation Committee and the Committee to consider the future of VCOs were Committees of staff officers appointed by H. E. the Commander-in-Chief in order that they might report to him personally on the problems referred to them. Their reports were never intended for publication and will not be published. As decisions are taken on their recommendations, these will usually be published.

INDIAN SOLDIERS APPLYING FOR ELECTORAL REGISTRATION

227. ***Shri Satya Narayan Sinha:** Will the War Secretary be pleased to state:

(a) how many of the 2½ million soldiers of the Indian Army taking advantage of the removal of residential disqualification by the Indian Franchise Act, 1945, applied for electoral registration—Provincial and Central;

(b) how many from (a) got their names registered; and

(c) how many from (b) were and are being given opportunity to record their votes?

Mr. P. Mason: (a) This information is not readily available and would take at least two months to obtain as it would involve consultation with all units including those overseas.

(b) and (c). Any service personnel who have registered on the electoral roll may apply for leave in order to vote. The grant of this leave is however subject to the exigencies of the service.

RELATIVE STATUS OF VICEROY'S COMMISSIONED OFFICERS AND BRITISH WARRANT OFFICERS, ETC.

228. *Shri Satya Narayan Sinha: (a) Will the War Secretary please state the relative status of—(i) the Viceroy's Commissioned Officers and British Warrant Officers, and (ii) the Indian Other Ranks and British Other Ranks, whenever they have to work in the same Unit or in the same office?

(b) Is it a fact that British Warrant Officers and British Other Ranks are permitted to exercise powers of command over the Viceroy's Commissioned Officers?

(c) Is it a fact that Viceroy's Commissioned Officers are at no time permitted or authorised to exercise command over the British Warrant Officers and British Other Ranks whenever they are working in the same office or in the same Unit?

(d) Is it a fact that British Other Ranks are permitted to exercise command over Indian Other Ranks irrespective of their rank and seniority and that Indian Other Ranks can at no time exercise command over British Other Ranks whenever they are working in the same office or Unit?

Mr. P. Mason: (a) and (d) (i). The status of a Viceroy's Commissioned Officer and a British Warrant Officer is governed by different Acts. A Viceroy's Commissioned Officer is subject to the Indian Army Act and can exercise command only over persons subject to that Act, whereas a British Warrant Officer is subject to the Army Act and cannot exercise command over persons subject to the Indian Army Act unless such persons, being other than Indian Commissioned Officers are specially placed under his orders. A Viceroy's Commissioned Officer is, however, not normally placed under the orders of a British Warrant Officer.

(ii) A British private soldier has no power of command over an Indian Other Rank. Indian Other Ranks cannot exercise command over British Other Ranks.

(b) A British Warrant Officer can only exercise such command when specially ordered. British private soldiers have no such powers.

(c) Yes.

INDIA'S EXPENDITURE ON SECRETARY OF STATE'S ESTABLISHMENT

229. *Mr. R. Venkatasubba Reddiar: Will the Honourable the Finance Member kindly state:

(a) what portion, if any, of the expenditure, in pounds or rupees on the Secretary of State for India and his establishment in England is borne by this Government;

(b) if any portion of such expenditure is paid from the Indian revenues, whether any Indian nationals are employed in that office; and, if so, how much they are paid; and

(c) if the answer to (b) above is in the affirmative, whether he proposes to take steps to employ Indian nationals to the utmost possible extent in that office and inform the Assembly as to what steps are being taken in that direction?

The Honourable Sir Archibald Rowlands: (a) In accordance with section 280 of the Government of India Act the expenses of the Secretary of State's Department including the salaries and remuneration of the staff thereof are borne by His Majesty's Government but payment is made by the Government of India of a part of such expenses, being a sum agreed upon from time to time as attributable to the performance of certain agreed agency functions on behalf of the Central Government. Such payment for 1945-46 has been agreed at £178,000 against the total cost of the establishment amounting to £409,100.

(b) No Indian nationals are employed in the establishment of the Secretary of State. Two Indians are, however, serving as the Secretary of State's Advisers. Their salaries are £1,300 per annum free of tax.

(c) In view of the fact that the payment is only for a part of the expenses of the Secretary of State attributable to his agency functions and this arrangement is economical and advantageous to India, it is not proposed to take the action suggested.

UNSTARRED QUESTIONS AND ANSWERS.

Proscribed Publications

33. Shri Mohan Lal Saksena: Will the Honourable the Home Member be pleased to lay a statement on the table giving a list of books and publications proscribed during the last four years and a statement giving the names of Presses and Newspapers from which securities were demanded since January, 1942?

The Honourable Sir John Thorne: The information asked for by the Honourable Member is being collected and a statement so far as the Central Government is concerned will be laid on the table of the House in due course.

Expenditure on Publicity Films, etc.

34. Shri Mohan Lal Saksena: Will the Honourable Member for Information and Broadcasting be pleased to lay on the table statements giving:

(i) the number and cost of various films prepared during the last four years by the Department;

(ii) the existing arrangements for external publicity and the total amount spent thereon during the last four years; and

(iii) the total amount of money spent on advertisements during the last four years and the names of the various papers to which advertisements were given with the respective amount paid to them?

The Honourable Sir Akbar Hydari: The information is being collected and will be laid on the table in due course.

SHORT NOTICE QUESTIONS AND ANSWERS.

Appointment of British (European) Personnel in I. C. S. and I. P. S.

Mr. Manu Subedar: (a) Will the Honourable the Home Member please state whether Government have sent to the Secretary of State the proceedings of the debate, which took place on the 31st of January, 1946, in the House on the adjournment motion in regard to additions to British (European) personnel in the Indian Civil Service and the Police Service by competitive selection with special provision for lump payment for voluntary retirement and even higher payments on dismissal?

(b) Have Government received instructions, after the despatch of such report, whether to proceed with the proposed scheme or to hold it in abeyance?

(c) How many have gone through the first interview, how many men have gone through the second interview and how many men have already been appointed?

(d) Has the Finance Department wholly accepted the scheme, or has it suggested a modification? If so, when?

The Honourable Sir John Thorne: (a) The text of the adjournment motion and the fact that the motion was carried in the Assembly without a division were communicated to the Secretary of State.

(b) The Secretary of State has intimated that he does not propose to hold the recruitment scheme in abeyance for the following reasons:

(i) An undertaking was given that recruitment would be carried out on the basis of pre-war ratios as between British and Indian recruits, in accordance with which recruits would have entered the services but for the war. Withdrawal of vacancies from Europeans would be regarded as a breach of this undertaking.

(ii) Terms under which new recruits are to serve make clear provision for constitutional changes.

(iii) The Secretary of State hopes that the time is close at hand when a new Government will be able to make their own arrangements but he feels that in the meanwhile the administrative machinery should be maintained by filling the vacancies that have accrued on the basis of pre-war ratios.

(c) The total number of eligible European candidates is about 700. 272 have been tested by the Selection Board, 84 have been finally interviewed, 20 have been finally selected and offered appointment and 5 have accepted appointment. No formal appointment has yet been made.

(d) The Secretary of State consulted the Governor General in Council on the proposals before coming to a final decision.

Mr. Manu Subedar: In view of the fact that only 20 have been offered appointments, and in view of the fact that the Secretary of State refers to the future Government which will be able to make its own arrangement, may I know whether the Government of India informed the Secretary of State that the public feeling on this subject in this country is acute as evidenced by the discussions in this House and whether in view of that public feeling they recommended holding up the further progress, that is to say, the further appointment of these men?

The Honourable Sir John Thorne: I cannot undertake that such a recommendation will be made.

Mr. Manu Subedar: The question is not whether you will do so in future. My question is did the Government themselves of their own accord make this recommendation when they sent the debates to the Secretary of State?

The Honourable Sir John Thorne: I am sorry I did not follow the question.

Mr. Manu Subedar: Did the Government, when sending the debates of this House, also convey their own views to the Secretary of State that in view of the high feeling on this subject on all sides of the House, the scheme of further British recruitment may be held in abeyance?

The Honourable Sir John Thorne: No, Sir.

Mr. Manu Subedar: In view of the Secretary of State's own suggestion that the new government will in the matter of two or three months take charge of all this, may I know now whether the Government of India will make such a recommendation, viz., to hold the scheme in abeyance?

The Honourable Sir John Thorne: I think, Sir, this was fully covered in the discussions on the adjournment motion recently and I cannot undertake that any recommendation in the sense in which my Honourable friend desires should be made.

Mr. K. C. Neogy: If I have caught my Honourable friend aright—he said that the text of the motion was forwarded to the Secretary of State. Did the Government convey to the Secretary of State the state of feeling on the subject in the country or did the Government merely forward the text of the motion, which is not self-explanatory?

The Honourable Sir John Thorne: My answer was that the text of the adjournment motion and the fact that the motion was carried in the Assembly without a division were communicated to the Secretary of State.

Mr. K. C. Neogy: Is it not usual in such cases to forward also a summary of the debate? Why was it that merely the text of the motion was forwarded and also the information that it was carried without a division?

The Honourable Sir John Thorne: I have not received the proceedings of the debate: it would be impossible to summarise them.

Seth Govind Das: Will they do it now as soon as they receive the debates?

The Honourable Sir John Thorne: Yes, Sir: the proceedings will be sent.

Mr. Manu Subedar: In view of the impending unemployment of a large number of men who have served Government in connection with the war, may I know whether the Government of India would not now suggest that as a goodwill gesture, this particular scheme of further recruitment of Britishers may be held in abeyance?

The Honourable Sir John Thorne: I cannot undertake that that will be done.

Shri Mohan Lal Saksena: Is it not a fact that if the Honourable Member had taken care he could have had the proceedings the next day?

The Honourable Sir John Thorne: I am sorry I did not follow the question.

Mr. President: The question was, "Would not the Honourable Member have got a copy of the proceedings the next day, if he had tried"?

The Honourable Sir John Thorne: I cannot say. That is a matter for the Legislative Assembly Department.

Sri M. Ananthasayanam Ayyangar: May I know what was the recommendation of the Government of India while forwarding the decision of this House?

The Honourable Sir John Thorne: No comments were made.

Prof. N. G. Ranga: Is it the intention of this Government to see that a sufficient supply of Englishmen in strategic places is maintained here in this country, even after this country is supposed to have become free two months hence, so that they can play a fifth column role here?

Mr. President: Order, order.

Food Situation in Bihar.

Shri Satya Narayan Sinha: (a) Has the attention of the Food Secretary been drawn to the report that has appeared in today's *Hindustan Times* in which the adviser of the Bihar Government Sir Eric Ansorge is reported to have said that the suggestion made during the last debates in the Central Assembly on Food, that Bihar is a surplus Province, is wrong?

(b) Is the Food Secretary aware that the Bihar Government had made certain proposals to the Government of India before the Food Debate in the Assembly in order to meet the food situation but the Central Government turned round these proposals and that is going to seriously affect the Food situation in the Province?

(c) Is the Food Secretary aware that if the import is not increased in the Province, in view of the failure of the food crops this year which showed deficit of 2 lac tons, there will be a terrible famine in the Province?

Mr. B. R. Sen: (a) Yes Sir, but no such suggestion seems to have been made in the course of the Food Debate.

(b) With a view to improving procurement of rice and paddy in the Province, the Bihar Government made certain proposals with most of which the Government of India were in agreement but there were some which required further consideration and consultation with other Provincial Governments.

(c) A quota of foodgrains based on our existing resources has already been allotted to Bihar and the Bihar Government's request for additional allotments will be considered as soon as the import position becomes clearer.

Shri Satya Narayan Sinha: Is the Honourable Member aware that the net imports of foodgrains into Bihar were about 2,75,000 tons yearly, excluding

74,000 tons of paddy from Nepal and that these imports have almost ceased from the year 1942, except a small quantity of paddy, which is still imported from Nepal?

Mr. B. R. Sen: Yes.

Sir Cowasjee Jehangir: May I ask the Honourable Member whether Bihar was not one of the provinces in which the Government of India decided was a province for monopoly procurement?

Mr. B. R. Sen: We have done that a few weeks ago.

Babu Ram Narayan Singh: Is Bihar a surplus province according to the decision of the Government of India as regards food production?

Mr. B. R. Sen: No, Sir.

Shri Satya Narayan Sinha: Is the Honourable Member aware that Bihar with its growing population has somehow managed to maintain itself so far with the existing production and with the eight lakhs tons of cereals which it originally received from outside?

Mr. B. R. Sen: I am quite aware of that. But I would like to ask the Honourable Member whether he is aware that India used to import 1½ million tons of cereals before the war and is not now getting those imports?

Shri Sri Prakasa: Can an Honourable Member ask a question in reply to a question?

Prof. N. G. Ranga: What definite steps are being taken or are proposed to be taken by the Government of India to help Bihar to become self-sufficient in regard to rice production?

Mr. B. R. Sen: The Honourable Member is aware that we are taking steps all over India under the grow-more-food campaign to get larger production.

Shri Satya Narayan Sinha: Is the Honourable Member aware that following the debate in the House on food, the prices of rice in Bihar have gone up very high, so much so that rice is selling there at Rs. 25 a maund? And if the answer is in the affirmative, will the Honourable Member care to say what he is going to do to remedy the situation?

Mr. B. R. Sen: I am aware of what the Honourable Member said just now; the whole matter is under discussion with the Bihar Government.

Babu Ram Narayan Singh: May I know whether any immediate steps are going to be taken by the Government of India to improve the situation there?

Mr. B. R. Sen: Yes.

Babu Ram Narayan Singh: What are those steps?

Mr. B. R. Sen: I feel it would not be in the public interest to discuss these proposals on the floor of this House at this stage.

Prof. N. G. Ranga: Will the Honourable Member be pleased to give this bit of information at least? Is the raising of the price of paddy, which is actually being received by the growers of paddy there, also one of the proposals that are being discussed by Government, so that they may be encouraged to grow more paddy?

Mr. B. R. Sen: That is one of the proposals under discussion.

Mr. B. B. Varma: May I know the reason for not accepting the Bihar Government's proposals regarding the inter-provincial control and co-ordination of prices by the Centre?

Mr. B. R. Sen: As I explained in the course of the food debate in this House, it has been the policy of the Government of India throughout to co-ordinate prices all over India. In 1943 the disparity of prices was very great and already we have narrowed down that disparity.

Babu Ram Narayan Singh: Will the Honourable Member advise the Government of Bihar to remove the inter-district ban against the movement of food-grains from one district to another?

Mr. B. R. Sen: That is primarily a matter for the Provincial Government to consider.

Sri M. Ananthasayanam Ayyangar: Has the Government considered the suggestion in the resolution which was passed here in the Food Debate, of granting subsidies to growers wherever there are inadequate prices being paid?

Mr. B. R. Sen: That is a matter for the Agriculture Department, but I think that subsidies are given to cultivaters even now, though not in the form that the Honourable Member wants them to be given.

Sri M. Ananthasayanam Ayyangar: Has any revision of the scale been thought of or considered since the passing of the resolution the other day?

Mr. B. R. Sen: The Honourable Member has put a short notice question and I shall give him a reply then.

Shri Satya Narayan Sinha: Is the Honourable Member aware that Bihar just managed to ward off a famine in 1943, and that its present ration is already one of the lowest in India and below the minimum recommended by the Central Government?

Mr. B. R. Sen: I am not sure that it is one of the lowest in India, but all over India the ration is very low.

Shri Satya Narayan Sinha: Will the Honourable Member care to make inquiries about it?

Mr. B. R. Sen: Yes.

Pandit Govind Malaviya: Are steps being taken to take note of the resentment which has been caused in Delhi and in other places in India by the reduction in the rations?

Mr. President: Order, order, the question does not arise out of this.

HUNGER STRIKE BY INDIAN AIRMEN IN BOMBAY.

Shri Satya Narayan Sinha: (a) Has the attention of the War Secretary been drawn to the news published in Newspapers regarding Indian airmen (600 in number) in the City Camp of Bombay who have gone on hunger strike, on an alleged insult by the Camp Commander?

(b) Will he kindly enlighten the House regarding its full details?

Mr. P. Mason: (a) Yes, Sir.

(b) The facts are contained in a statement made by Air Officer Commanding Bombay at a Press Conference in Bombay on Thursday last.

FRANCHISE TO INDIANS IN SOUTH AFRICA

Seth Govind Das: (a) Will the Secretary for Commonwealth Relations be pleased to state if it is a fact that the South African Government has decided to give Indians in Natal and Transvaal a right to vote? If so, will these Indians be registered on a communal roll or on the ordinary voter's roll?

(b) Will these Indians be allowed to elect their own Indian representatives to the Senate, Assembly and Provincial Councils?

(c) Are the Government of India aware of the fact that a delegation of the Natal Indians is shortly coming to India in this fortnight?

Mr. R. N. Banerjee: (a) and (b) It is understood that the Union Government have under consideration draft legislation to give Indians a limited franchise on a communal roll, on the basis of literacy and a certain annual income or ownership of immovable property of certain value. This franchise is intended to enable Indians to elect a limited number of representatives on the Senate, House of Assembly and the Natal and Transvaal Provincial Council. It is understood, however, that on the official interpretation of the present legal position such representatives must be of European descent.

(c) A telegram has been received from the Natal Indian Congress intimating that a delegation is coming to India.

Seth Govind Das: Will the Honourable Member be pleased to state whether he has received any communication from the High Commissioner of India in Natal or from the representatives of the Natal Indian Congress, whether this franchise which is being contemplated to be given to Indians there, will be acceptable to Indians?

Mr. R. N. Banerjee: I have no information on the present attitude of the local Indian community towards this kind of franchise; but the matter was examined by the Judicial Commission over which Justice Broome presided, and in the report of the Commission published a few months ago the following statements were made:

"Natal Indians are not a backward race like the Bantu. Their racial pride would not therefore permit them to accept communal representation by persons of a different race as happens in the case of natives. The Commission is satisfied on the strongest possible evidence that any offer to Natal Indians of representation on a communal basis would be rejected immediately and unanimously."

I do not know whether that is the present attitude of the Indian community. We have no up to date information.

Seth Govind Das: What do the Government of India under these circumstances contemplate to represent to the Union Government? Are they going to express any opinion with respect to this proposal of franchise?

Mr. R. N. Banerjee: I am afraid I am not prepared to make any further statement on the subject of franchise at this stage. Government will consider the matter. I hope the Honourable Member will realise that our relations with that country are in a most delicate stage and I think it will be against our interests to discuss this matter further now.

Prof. N. G. Ranga: Does this proposal also include the right of Indians to elect Indians to the Legislature?

Mr. R. N. Banerjee: No, Sir.

Mr. M. Asaf Ali: Sir, I am compelled to ask the Honourable gentleman whether it is proper for any Member of the Government to address the other side of the House which happens to be the elected side of the House in that lecturing and hectoring manner by saying "Members should realise". "Will Members kindly realise" or some such expression ought to be the form of his warnings.

Mr. R. N. Banerjee: I am sorry if I have given the Honourable Member offence.

INTERROGATION OF I. N. A. PERSONNEL

Pundit Thakur Das Bhargava: (a) Will the War Secretary kindly state how many interrogations and enquiries are at present proceeding in regard to officers and other ranks of the I.N.A.?

(b) How many persons of the I.N.A. yet remain to be interrogated?

(c) Against how many officers of the I.N.A. whose interrogations have been completed, are the cases at present in contemplation?

(d) Are there any women prisoners also belonging to the I.N.A.? If so, how many? How many women have been convicted or arraigned so far? Are there any cases in contemplation against them?

Mr. P. Mason: (a) and (b). The number of persons of the I.N.A. under interrogation and enquiry is approximately 4,225. Six Courts of Inquiry are engaged on this work dealing with approximately 400 men every week.

(c) No proceedings are being contemplated against any of the officers whose interrogation has been completed.

(d) No, Sir, and to the best of my knowledge no such case is contemplated.

COST OF I. N. A. TRIALS

Pundit Thakur Das Bhargava: (a) Will the War Secretary kindly state the total cost of the first I.N.A trial viz. the trial of Capt. Shah Nawaz and others?

(b) How much cost have Government so far incurred in the trials of Capt. Burhanuddin, Capt. Singhara Singh, Fateh Khan and Capt. Abdur Rashid?

(c) How many officers and other persons are engaged in investigations, inquiries and interrogations of the I.N.A. men, and what do they cost Government each day?

Mr. P. Mason: (a) Rs. 26,503 for counsels and stenographers.

(b) Rs. 42,427 for counsel and stenographers up to the end of last month. As regards the remainder of the cost incurred on these trials, the Members of the Courts and most of the witnesses are Military persons and almost all were brought by Service means of transport, which was carrying other persons as well. The extra cost of the trials on this account was therefore small; to work out actuarially the proportionate cost would involve a great deal of work and would be of little practical value.

(c) 167 Commissioned officers and 14,033 other military persons. These persons are paid at the normal rates which they would be receiving anywhere so that no extra cost is incurred on this account.

I. N. A MEN HANGED.

Pundit Thakur Das Bhargava: Will the War Secretary kindly state whether out of the persons of the I N.A. hanged, any one was tried for waging war against the King? If so, how many, and with what result?

Mr P. Mason: Waging war against the King was included in the charges against all those who were hanged, and all except one were convicted on that charge.

MOTIONS FOR ADJOURNMENT

GOVERNMENT STATEMENT ON POLYTECHNIC INSTITUTE STUDENTS' STRIKE

Mr. President: I have received notices of five different adjournment motions. One is from Seth Govind Das. He wants to adjourn the House because of "the unsatisfactory statement of Dr John Sargent on Polytechnic Institute students strike". I should like to know what specifically is unsatisfactory in that statement. Without it, it seems to be vague.

Seth Govind Das (Central Provinces Hindi Division: Non-Muhammadan): Sir, the main grievance of the strikers was that their diploma is not being recognised and when the Deputy Leader of my Party put a specific question to Dr. John Sargent whether the Government were prepared to recognise that diploma and instruct the Federal Public Service Commission accordingly, Dr. John Sargent did not even care to reply to that question. Sir, this has been the main grievance of the strikers. If he had said something on this subject and if his reply was satisfactory, we would not have been compelled to move this motion today. Even now if he can assure us on this subject, we shall consider whether we should press this motion or not.

Dr. John Sargent (Secretary, Education Deptt.): Sir, I am very sorry if my reply on that point was not satisfactory. It was not my intention to evade it in any way, nor do I wish to evade any further discussion on this particular matter which may lead to a satisfactory solution of the question. I had an opportunity last night after the matter was referred to in this House of having a talk with certain students and I agree that the crucial point is the recognition for employment both in Government service and elsewhere of the diplomas awarded by the Polytechnic Institute. As I said yesterday in answer to a question, I think, by the Honourable gentleman himself, I myself regard, in spite of the difficulties to which I have referred, the diploma courses which have been carried on in the Polytechnic Institute as quite good and as equivalent in standard to the University courses which are recognised for purposes of employment. I have put that point personally to the Chairman of the Federal

[Dr. John Sargent]

Public Services Commission because, I think, we can feel that the first step towards general recognition of these courses is their recognition by the Federal Public Services Commission. I have represented my view to him. He gave me a very sympathetic reply and I shall certainly continue to press my view on him. But he naturally wanted a little time to consider it and he also wished to consider any report which the Commission had received from the All-India Board of Studies. I can assure the House that I shall spare no efforts to try and persuade the Federal Public Services Commission to recognise the value of this course. But I am afraid I cannot force the issue on them.

Seth Govind Das: Sir, in view of this explanation, I do not press my motion.

Mr. President: Then there is another adjournment motion practically on the same subject by Mr. Mohan Lal Saksena.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): Sir, I do not press my motion in the hope that the Honourable the Education Secretary will expedite matters and will see that the matter regarding recognition is settled at an early date.

Dr. John Sargent: Certainly.

Mr. President: The next adjournment motion stands in the name of Mr. Rohini Kumar Choudhuri. It runs as follows:

"Action taken by the Government of India for ruination of Industry of manufacture of umbrellas in Assam by refusing to release cloth and other materials necessary for the manufacture and by requiring the province to take ready-made umbrellas from Calcutta."

Sreejut Rohini Kumar Choudhuri (Assam Valley: Non-Muhammadan): Sir, I withdraw my motion at this stage.

FAILURE OF GOVERNMENT OF INDIA TO INSTRUCT ITS DELEGATE TO U.N.O. TO CONVEY TO THE SECURITY COUNCIL STRONG VIEWS OF THE ASSEMBLY REGARDING ANGLO-DUTCH OPERATIONS AGAINST INDONESIA

Mr. President: The next adjournment motion stands in the name of Mr. M. Asaf Ali It runs thus:

"The failure of the Government to instruct its delegate to U.N.O. to convey to the Security Council now in Session in London the strong views of the elected members of the Assembly on the subject of Anglo-Dutch operations against the nationalist forces in Indonesia."

As I understand the Motion, it is not for debating again the position in Indonesia, but it is restricted only to the failure of this Government to convey to the British Government the views of this House. What is the position with regard to this?

Mr. H. Weightman (Secretary, External Affairs Department): On a preliminary point, Sir. It seems possible that this Motion requires the consent of the Governor General under the provisions of Rule 12(v), read with Rule 23 (2)(n)(a) It relates to 'a matter connected with relations between His Majesty or the Governor General in Council and a foreign State or Prince'.

Mr. President: But here the Motion does not relate to any relations of that type. It merely seems to be a matter between the Government of India and the Secretary of State Let me get it clear from the Honourable Member.

Mr. H. Weightman: It refers to an allegation of Anglo-Dutch operations against the nationalist forces in Indonesia.

Mr. President: It does not seek to have any clarification of the Anglo-Dutch operations The mere mention of these words need not bring the Motion within the Rule quoted by the Honourable Member. The point of the Motion, as I understand it, is the failure of this Government to instruct its delegates to U.N.O. It does not relate to Anglo-Dutch relations at all. That is how I understand the motion to be.

Mr. M. Asaf Ali (Delhi: General): May I just say one word? I should like to know whether there has been any communication or any failure to communicate.

Mr. H. Weightman: No, Sir. I submit it is not a matter of urgent public importance.

Mr. President: The question is simply whether the Government of India have communicated or failed to communicate to its delegates.

Mr. H. Weightman: No communication has been made. But I urge that there is no question here of failure of Government leading to a definite matter of urgent public importance. I may go a little further and say that it is a normal, natural and perfectly comprehensible fact that when a Government sends a delegation to an International body such as U.N.O. and if that Government has instructions to issue to its delegation, it will issue instructions which it considers to be reasonable. A great deal of time was taken up the other day in explaining exactly why Indian troops as well as British troops were in Indonesia . . .

Mr. President: Order, order. I am not going into the merits of this question. The merits of the question are entirely different Now that, that matter has been debated upon, no further debate on that point can now be permitted in this House. But the present Motion for Adjournment raises a different question, and that is that this Government failed to communicate to their delegate attending U.N.O. the wishes of this House or the discussions that took place in this House. This point is entirely different. Am I clear to the Honourable Member?

Mr. H. Weightman: I was trying to indicate that there was no need for the Government of India to do it.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Oh! Oh!

Mr. President: That is a matter of opinion. What was the Honourable Member urging about the point of urgency?

Mr. H. Weightman: There is no urgency. If the Government of India did not do something, it was not under any obligation to do it.

Mr. President: The point appears to me that if the Delegation is there and if the Security Council is going to take some decisions then, of course, before it comes to any adverse decision, or to any decision at all, for the matter of that, this House may feel it quite necessary that their views, for what they are worth, may be communicated to the delegation. The urgency arises from that point. Has the Honourable Member got to say anything about that?

Mr. H. Weightman: I have nothing more to say.

Mr. M. Asaf Ali: May I explain about the point of urgency? Nothing has been said till now by the Honourable Member which may in any way go against the urgency of this motion which I propose to move. I shall ask the leave of the House to move my Motion at the appropriate time, if you, Sir, admit it.

Mr. President: The point is that the Security Council is having deliberations now.

Mr. M. Asaf Ali: Precisely . . . May I say one word about it? The reason why I put down this Motion today is this, that Reuter has sent out a long message from London which has appeared in the Press today in which I came across the following words which have been uttered by no less eminent and important a person than M. Vyshinsky, the representative of Soviet Russia. He says:

> "And we say that war is being waged against the Indonesian population. This is a very dangerous situation. It is dangerous to the future. It may light a spark which will set light to the powder barrel and start a world wide conflagration."

I ask this Government of India, Sir, whether they are utterly oblivious of this fact? They are trying to evade the issue today. They are telling us there is no urgency of this question. Is it or is it not their duty to be fully apprised

[*Mr. M. Asaf Ali*]

of all the facts to realise that they are passing through days when the world is *almost in an explosive state? We have expressed our views because we are vitally affected by the developments that are taking place throughout the world.* We have expressed our views very strongly on the subject and today the Government Member has the audacity to stand up and tell us that they do not consider it a matter of such urgency that they should communicate the views of this House—of the elected part of the House—to the representative whom they have sent to U.N.O. and who is sitting in London today and listening to the Indonesia debate. He does not even convey the feelings of this House to the Security Council, Sir, I think it is monstrously scandalous that this Government should return replies like these and try to evade the issue and tell us here that this is not a matter which should claim the attention of this House. If this matter cannot claim the attention of this House, I cannot imagine any other matter that can possibly claim the attention of this House. We are most vitally affected. We have gone through two wars, not of our seeking, and a third war is in progress. Are we to allow this Government to go on without conveying our views to the proper authorities and to the proper quarters?

Mr. President: I think the motion is admissible; the question is when it should be taken up.

Mr. H. Weightman: Sir, let it be taken up at 4 o'clock.

Mr. President: The motion will be taken up at 4 P.M.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER CENTRAL EXCISES AND SALT ACT

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I lay on the table a copy of each of the following notifications in accordance with section 30 of the Central Excise and Salt Act, 1944:

(1) Central Excise Notification No. 4-Camp, dated the 10th February, 1945,

(2) Central Excise Notification No. 5-Camp, dated the 10th March, 1945.

(3) Central Excise Notification No. 2, dated the 21st April, 1945.

(4) Central Excise Notification No. 6, dated the 2nd June, 1945.

(5) Central Excise Notification No. 8, dated the 16th June, 1945.

(6) Central Excise Notification No. 10, dated the 13th October, 1945.

(7) Central Excise Notification No. 11, dated the 27th October, 1945.

(8) Central Excise Notification No. 1-Camp, dated the 26th January, 1946.

(9) Salt Notification No. 1, dated the 1st April, 1945.

(10) Salt Notification No. 4, dated the 26th May, 1945.

(11) Salt Notification No. 6, dated the 22nd September, 1945.

(12) Salt Notification No. 7, dated the 13th October, 1945.

(13) Salt Notification No. 8, dated the 3rd November, 1945.

(14) Salt Notification No. 10, dated the 3rd November, 1945; and

(15) Salt Notification No. 11, dated the 15th December, 1945.

FINANCE DEPARTMENT (CENTRAL REVENUES) NOTIFICATION.

CENTRAL EXCISES

New Delhi, the 10th February, 1945.

No. 4-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the Central Excise Rules, 1944, namely :—

To rule 60 of the said Rules, the following shall be added, namely :—

"The purchaser shall keep a correct daily account of such goods in like manner as is prescribed in rule 58."

H. GREENFIELD, Jt. Secy.

4-Camp/C. No. 21(2)-C. Exc./44.

Copy forwarded to :—
The Collectors of Central Excise.
The Secretary to the Government of Sind, Revenue Department.
The Political and the External Affairs Departments.
The Deputy Director of Inspection, Customs and Central Excises
The Director-General of Commercial Intelligence for publication in the Indian Trade urnal.

By order etc.,
W. A. ROSE,
Under Secretary to the Government of India.

FINANCE DEPARTMENT (CENTRAL REVENUES) NOTIFICATION.

CENTRAL EXCISE.

New Delhi, the 10th March, 1945.

No. 5-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the Central Excise Rules, 1944, namely :—

In rule 65 of the said Rules—

(i) in sub-rule (3)—

(a) for the words "a security bond in the proper Forms" the words "a bond in the proper Form with such surety or sufficient security as the Collector may require" shall be substituted;

(b) the proviso shall be omitted;

(ii) sub-rule (4) shall be omitted and sub-rules (5) and (6) shall be re-numbered as sub-rules (4) and (5) respectively;

(iii) in sub-rule (4) as re-numbered—

(a) for the words, brackets and figures "sub-rules (3) and (4)" the word, brackets and figure "sub-rule (3)" shall be substituted;

(b) for the words "the enquiry" the words "due enquiry", shall be substituted;

H. GREENFIELLD, Joint Secy.

No. 5-Camp./C. No. 19 (1)-C. Ex./45.

Copy forwarded to all Collectors of Central Excise; the Political and External Affairs, Departments; the Secretary to the Government of Sind, Revenue Department; the Director of Commercial Intelligence and Statistics for publication in the Indian Trade Journal and the Deputy Director of Inspection, Customs and Central Excises.

By order, etc.,
W. A. ROSE,
Under Secy. to the Govt. of India.

FINANCE DEPARTMENT (CENTRAL REVENUES) NOTIFICATION.

CENTRAL EXCISE.

Simla, the 21st April, 1945.

No. 2.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the Central Excise Rules, 1944, namely :—

In rule 58 of the said Rules, after the words "in the proper Form", the words "or in such other form as the Collector may in any particular case allow" shall be inserted.

By order, etc.,
W. A. ROSE,
Under Secretary to the Government of India.

FINANCE DEPARTMENT (CENTRAL REVENUES) NOTIFICATION.

CENTRAL EXCISES

Simla, the 2nd June, 1945.

No. 6.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944, (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the Central Excise Rules, 1944, namely :—

In Form L-2 (Tobacco) of the forms appended to the said Rules, paragraph 3 shall be renumbered as paragraph 4 and before paragraph 4 as so renumbered the following shall be inserted as paragraph 3, namely :—

"3. It is a condition of this licence that the holder shall not use his tobacco for a purpose to which a rate of due higher than the rate actually paid thereon would be appropriate."

H. GREENFIELD, Joint Secy.

No. 6/C. No. 3(5)-C. Exc. (T.)/45.

Copy forwarded to all Collectors of Central Excise, the Secretary to the Government of Sind, the Political and External Affairs Departments and to the Deputy Director of Inspection, Customs and Central Excises.

By Order, etc.,
W. A. ROSE,
for *Joint Secy. to the Govt. of India.*

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION.

CENTRAL EXCISES.

Simla, the 16th June, 1945.

No. 8.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), the Central Government is pleased to direct that the following further amendments shall be made to the Central Excise Rules, 1944, namely :—

In Appendix 1 to the said Rules—

1. In the Table under the heading "Forms" for the entries relating to Central Excise Series No. 32, the following shall be substituted :—

Central Excise Series No.	Description of Form	Rule No.	Short title
32	(with security) for due disposal of excisable goods obtained, without payment of duty, for use in special industrial processes.	192	B-8 (Sec.)
32-A	(with surety) for due disposal of excisable goods obtained, without payment of duty, for use in special industrial processes.	192	B-8 (Sur.)

II. For Form B-5 (GEN. SUR) (Central Excise Series No. 28), the following form shall be substituted :—

Central Excise Series No. 28. Range.
Circle.

FORM B-5 (GEN. SUR.).

General Bond (with surety/ies) for the due arrival and rewarehousing of excisable goods removed from one bonded warehouse to another.

(Rule 154).

Delete the letters and words not applicable.).

I/We of
[hereinafter called the obligor(s)] am/are bound to the Governor General in Council in the sum of rupees and I/we
of (hereinafter called the "First Surety").
of (hereinafter called the "Second Surety").
of (hereinafter called the "Third Surety").
of (hereinafter called the "Fourth Surety").

(all hereinafter collectively referred to as the first Surety, the Second Surety, the Third Surety, the Fourth Surety are each of us severally bound to the Governor General in Council in the sum of rupees each to be paid to the Governor General in Council for which payment I/we the obligor/obligors bind myself/ourselves and our legal representatives and I/we the abovenamed First Surety, the Second Surety, the Third Surety and the Fourth Surety, severally bind myself/ourselves and our legal representatives.

The above bounden obligor(s) being permitted to remove from time to time, conditional on the provisions of the Central Excise Rules, 1944, being observed*,
from the bonded warehouse(s) at
to other bonded warehouses or *vice-versa*.

---

*Here enter description of the excisable goods.

The condition of this bond is that if the obligor(s) and his/their legal representatives shall observe all the provisions of the said Rules, to be observed in respect of the goods so transferred from time to time;

And if the said goods are duly removed to and rewarehoused at the bonded warehouse(s) of destination to which they are permitted to be removed, within such time as the Collector of Central Excise at directs;

This obligation shall be void

Otherwise and on breach or failure in the performance of any part of the condition, the same shall be in full force

We declare that this bond is given under the orders of the Central Government for the performance of an act in which the public are interested.

Place.

Date.

Signature(s) of obligor(s)

Witnesses (1) Address (1) Occupation (1).

(2) Address (2) Occupation (2).

Place.

Date.

Signature(s) of Surety(ies).

Witnesses (1) Address (1) Occupation (1)

(2) Address (2) Occupation (2)

Accepted by me this day of 19 .

Collector of Central Excise.

111 In Form B 8 (Central Excise Series No 32), for the existing heading, the following shall be substituted --

FORM B-8 (SEC.)

Bond (with security) to be entered into by person licensed to obtain, without payment of duty, excisable goods to be used for special industrial purposes

IV After Form B 8, as hereinbefore amended, the following new Form shall be inserted --

Range

Circle

Central Excise Series No 32-A

FORM B 8 (SUR)

Bond (with surety) to be entered into by person licensed to obtain, without payment of duty, excisable goods to be used for special industrial purposes

(Rule 192)

(*Delete* the letters and words not applicable)

I, we of [hereinafter called the obligor(s)] and

of (hereinafter called the surety) are jointly and severally bound to the Governor General in Council in the sum of rupees to be paid to the Governor General in Council for which payment we jointly and severally bind ourselves and our legal representatives

The above bounden obligor(s) having been permitted by the Collector of Central Excise, (hereinafter called the Collector) to purchase from time to time such quantities of as may be required, not exceeding per year for use in the factory at for the manufacture of the commodity(ies) and in the manner, specified in his/their application No , dated without payment of duty

The condition of this bond is that if the obligor(s) shall not make any change in the nature or manner of manufacture specified in his/their application or use the for any purpose other than that stated in the application without the prior approval of the Collector,

And shall observe all the provisions of the Central Excise Rules, 1944, so far as they relate to the use of excisable goods for industrial purposes without payment of duty;

And if all dues, whether excise duty or other lawful charges, which shall be demandable on the goods [obtained by the obligor(s) without payment of duty] as shown by the records of the proper officer of Central Excises, be duly paid into the treasury to the account of the Collector within ten days of the date of demand thereof being made in writing by the said officer of Central Excises,

This obligation shall be void.

Otherwise and on breach or failure in the performance of any part of this condition, the same shall be in full force.

I/We declare that this bond is given under the orders of the Central Government for the performance of an act in which the public are interested.

Place.

Date.

Signature(s) of obligor(s).

Witnesses (1) Address (1) Occupation (1)

(2) Address (2) Occupation (2)

Place.

Date.

Signature(s) of Surety(ies)

Witnesses (1) Address (1) Occupation (1)

(2) Address (2) Occupation (2)

Accepted by me this day of 19

Collector of Central Excise

V To Form R T 2 (Central Excise Series No 68), the following shall be added at the back :—

"Central Excise Officer's Account

Quantity assessed to duty	Serial Nos. of Demands for duty	Removals to bonded warehouse			
		Quantity removed		Serial numbers of	
		Under transport permit	Under transport certificate	Transport permits	Transport certificates

VI. For Form R. T.-5 (Central Excise Series No 71), the following form shall be substituted :

Central Excise Series No. 71

Range
Circle

FORM R T. 5

Periodical / Quarterly Return of materials used and goods manufactured

(Rule 55)

Address

Name of Factory

Quarter ending

Season from to

Opening balance of materials		Materials Received		Total Materials		Excisable goods manufactured		Other goods manufactured		Materials wasted or destroyed		Closing balance of material		Remarks
Description	Quantity	Description	Quantity	Description	Quantity	Description	Quantity	Description	Quantity	Description	Quantity	Description	Quantity	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

NOTE.—(1) Separate particular of each description of materials used and of each description of finished goods produced should be given.

(2) The reasons for wastage and destruction should be entered in the 'Remarks' column.

I/We hereby declare that I/we have compared the above particulars with the records and books of the factory and that they are in so far as I/we can ascertain, accurate and complete.

Signature of manufacturer (s)

Date

VII. In the Table annexed to Form R. T. 8(C) (Central Excise Series No. 76) before the existing entry under the heading "molasses made" :—in the second column, against Serial No. 4, the following shall be inserted :—

Total molasses sent out . . . . . Cwts

H. G, REENFIELD Joint Secretary.

PAPERS LAID ON THE TABLE

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION

CENTRAL EXCISES

Simla, the 13th October, 1945

No. 10.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the Central Excise Rules, 1944, namely :—

In paragraph 2 of form L.5 of the forms appended in the said Rules, after the words "The licence is granted to Mr./Messrs ," the words "who have paid the prescribed licence fee of Rs. " shall be inserted.

H. GREENFIELD,
Joint Secretary to the Government of India.

No. 10/C. No. 41 (31)-CXT/45

Copy forwarded to :—

1. The Collector of Central Excise, Calcutta with reference to paragraph 1 of the minutes dated 7th August, 1945, of the Assistant Collectors' Conference enclosed with his letter C. No. XVI/58-GI/45/24758, dated 23rd August, 1945
2. Other Collectors of Central Excise
3. The Secretary to the Government of Sind, Revenue Department, Karachi
4. The External Affairs Department.
5. The Political Department
6. The Director of Commercial Intelligence for publication in the Indian Trade Journal.
7. The Deputy Director of Inspection, Customs and Central Excises

By order, etc.,
W. A. ROSE,
Under Secretary to the Government of India.

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION

CENTRAL EXCISES

Simla, the 27th October, 1945

No. 11.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the Central Excise Rules, 1944, namely :—

In the forms in Appendix I appended to the said Rules—

(i) the following shall be inserted as a penultimate paragraph in Central Excise Series Nos. 3 to 7 and as a final paragraph in Series No. 8

"I/We hereby declare that no excise licence previously held by me/us has been revoked or suspended or has failed to be renewed owing to a breach of the Act and or Rules governing the grant of such licence"

The final paragraphs in Series Nos. 3 to 7 shall be renumbered accordingly.

(ii) the following shall be inserted as a final para in Central Excise Series Nos. 9 to 15.

"This licence may be revoked or suspended or its renewal may be refused, if any declaration made or information given in the application therefor is found to be false or if any undertaking given in such application is not carried out"

H. GREENFIELD,
Joint Secretary to the Government of India.

No. 11/C. No. 27-11/C. Exc. T./45

1. The Collector of Central Excise, Calcutta, with reference to his letter C. No. VII/34 Tob./45/24052, dated 11th August, 1945
2. Other Collectors of Central Excise
3. The Secretary to the Government of Sind, Revenue Department, Karachi
4. The External Affairs Department
5. The Political Department
6. The Director of Commercial Intelligence for publication in the Indian Trade Journal
7. The Deputy Director of Inspection, Customs and Central Excises

By order, etc.,
W. A. ROSE,
Under Secretary to the Government of India.

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES)

New Delhi, the 26th January, 1946

NOTIFICATION

CENTRAL EXCISES

No. 1-*Camp.*—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made to the Central Excise Rules, 1944, namely—

In form A L.-5 set forth in Appendix I to the said Rules—

after paragraph 3, the following paragraph shall be inserted, namely :—

"**3A I/we have verified that the surety/sureties specified in the bond(s) executed by us in form(s) under rule(s) is/are alive and is/are solvent.

** Strike out if the application is made for the first time and if the bond has been executed with security".

H. GREENFIELD,
Joint Secretary to the Government of India.

1-Camp/C. No. 8/6-C.X /45.

Copy forwarded to—

1. All Collectors of Central Excise.
2. The Secretary to the Government of Sind, Revenue Department
3. The Political Department.
4. The Director of Commercial Intelligence for publication in the Indian Trade Journal.
5. The Inspectorate of Customs and Central Excises.

By order, etc.,
W A ROSE,
Under Secretary to the Government of India.

FINANCE DEPARTMENT (CENTRAL REVENUES).

NOTIFICATION.

SALT.

Simla, the 1st April, 1945.

No. 1.—In exercise of the powers conferred by sub-section (1), read with clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), the Central Government is pleased to make the following rule, namely :—

Rule.

Salt removed from Saltpetre refineries in the Punjab, the United Provinces, Bihar, Orissa, Delhi or Ajmer-Merwara is hereby exempted from the duty imposed on salt by section 3 of the Central Excises and Salt Act, 1944 (1 of 1944), read with section 2 of the Indian Finance Act, 1945—

(a) in the case of Sitta (*i.e.*, impure salt unfit for human consumption), to the extent of one rupee and eight annas per Standard maund;

(b) in the case of salt other than Sitta, to the extent of one rupee and one anna per Standard maunds

By order, etc.,
W A ROSE,
Under Secretary to the Government of India.

1/C No 99-Salt/45

Copy forwarded to the Collectors of Central Excise, Delhi, Allahabad and Calcutta, the Government of the Punjab, the United Provinces, Bihar and Orissa, Chief Commissioner of Delhi and Ajmer-Marwara and the Accountant General, Central Revenues.

By order, etc.,
W. A. ROSE,
Under Secretary to the Government of India

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION

SALT

Simla, the 26th May, 1945

No. 4.—In exercise of the powers conferred by clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), and in supersession of the notification of the Government of India, in the Finance Department (Central Revenues), No. 28-Salt/27, dated the 1st October, 1927, the Central Government is pleased to remit the duty imposed under sub-section (1) of section 3 of the said Act on salt manufactured in the Province of Madras or in the territories transferred from the Province of Madras to the Province of Orissa by the Government of India (Constitution of Orissa) Order, 1936, when such salt is used in the Province of Madras or in the said territories or, with the special approval of the Central Government, in any other place for any industrial purpose other than the preparation of refined salt or as an ingredient or preservative in any article of food or drink, subject to the following rules :—

Rules.

1. Any person intending to use salt in an industrial process (hereinafter referred to as the manufacturer) and wishing to be admitted to the concession shall make an application to the Assistant Collector of Central Excise of the division in which his works are situated (hereinafter referred to as the Assistant Collector). If he wishes the concession to extend to more than one factory or works, a separate application must be made for each such factory or works. Each application shall contain a statement of the estimated monthly quantity of salt required, of the salt factory or depot from which it is desired that it may be issued, and of the purpose and manner for and in which it is intended to be used, as well as a declaration that the salt applied for will be used solely for such purpose and in such manner, and it shall be accompanied by a fee of Rs. 100. Provided that if the concession is granted after six months of a financial year have expired, the fee payable for the said year shall be Rs. 50 and that if the full annual fee of Rs. 100 has been paid and a concession is surrendered before the expiry of six months of a financial year or in the case of a new grantee within six months of the grant, Rs. 50 shall be refunded.

2. If the Assistant Collector is satisfied, from his previous knowledge of the manufacturer or from inquiries or otherwise, that he is a person to whom the privilege of the duty-free issue of salt may be allowed without danger to the revenue, he shall then inspect the works, or shall depute an Inspector to do so, or if the works are situated in the Mysore State, shall arrange for their inspection by an officer of the State and shall satisfy himself that they contain a secure store room for the custody of the salt. If the Assistant Collector finally approves the application, he shall require the applicant and one approved surety to execute a bond in Form I annexed hereto which he shall forward to the Collector of Central Excise (hereinafter called the Collector) for signature on behalf of the Central Government and shall at the same time issue an order for the delivery of the salt from the factory or depot named by the manufacturer. The concession shall expire on the 31st March, each year, but may be renewed if the Assistant Collector sees no reason to the contrary on payment of a fresh fee of Rs. 100 for each financial year.

3. When the delivery of the salt is required the manufacturer shall give not less than twenty four hours' notice, exclusive of Sundays and of sanctioned holidays, to the officer in charge of such factory or depot, at the same time remitting to him the price of the salt at such rate as the Collector, may from time to time, prescribe.

4. The salt shall be removed from the factory or depot in gunny bags to be provided by the manufacturer, and to be approved by the Collector each of which shall contain two maunds of salt and shall be sealed by or under the orders of the Collector.

5. The manufacturer shall be bound to convey the salt direct with unbroken seals from the factory or depot to his works. He shall there keep it in a store room approved by the Assistant Collector in the bags in which it was removed from the factory or depot. The bags shall not be opened before the salt is actually required for use nor shall the seals be broken or removed except in the presence of the manufacturer or his manager, who shall be a person approved by the Assistant Collector.

6. The key of the room in which the salt is kept shall be in the personal custody of the manufacturer or his manager who shall execute an agreement in Form II annexed hereto and who shall maintain an account in Form III annexed, showing the quantity of salt received, the quantity expended from time to time with the purpose for which, and the manner in which it has been used and the daily balance in hand. He shall also maintain any other accounts which the Collector may prescribe in connection with the issue of salt for any particular trade. The factory or works may be entered into and examined at any time by any magistrate or by any officer of Police not below the rank of Inspector or by any officer of the Central Excise Collectorate not below the rank of Sub-Inspector or by any person whom the Assistant Collector or other superior officer of the Collectorate may at any time specially empower in this behalf, or by any officer of the Central Excise Collectorate of a Province other than Madras who may be especially empowered in this behalf by the Central Board of Revenue or by any officer of the Mysore State empowered in this behalf by the Durbar in respect of factories or works situated within that State, and due facilities for examining the accounts as well as for checking the stock of salt received expended and in hand shall be afforded by the manufacturer and all other persons employed by him.

7. Save with the written permission of the Assistant Collector or in unavoidable circumstances such as the occurrence of a fire or the like, salt shall be removed from such store-room only for use for the purpose and in the manner specified in the manufacturer's application. All salt so removed for use shall be at once so used. All spent lye or other useless refuse containing salt shall be effectually destroyed on or near the premises in such manner as the Assistant Collector may direct.

8. The Central Government reserve to themselves power to impose a preventive establishment on the manufacturer at his expense whenever the Collector considers it necessary for the protection of the revenue to do so.

9. In case of any infraction of these rules, the permission to use salt duty-free in the manufacture will be liable to be withdrawn and all salt remaining in store will be liable to be destroyed under the orders of the Assistant Collector. No refund will be made on account of the price of salt so destroyed.

10. If any salt issued under these rules is not duly accounted for as having been used for the purpose and in the manner stated in the manufacturer's application, the manufacturer shall, on demand by the Assistant Collector, be bound immediately to pay to Central Government duty on all salt so unaccounted for at double the rate of duty on salt for the time

leviable under the Central Excises and Salt Act, 1944 (hereinafter referred to as the Act) or other law for the time being in force and relating to the salt revenue.

The above condition does not prejudice the liability of the licensee to prosecution under Section 9 of the Act or other law for the time being in force relating to the salt revenue, if it shall appear that such salt so unaccounted for has been otherwise used by him or with his consent or connivance so as to defraud the salt revenue

11. After the Assistant Collector has once given permission for the duty free issue of salt to any manufacturer, it shall not be necessary so long as that permission remains unrevoked for the manufacturer to apply to the Assistant Collector for the issue of such further supplies as he may require in the conduct of his business for use for the same purpose and in the same manner in the same official year It will be sufficient for him to apply to the officer in charge of the factory or depot from which the first issue was made The manufacturer shall be bound to remove and keep the salt issued on the second and all subsequent occasions in bags bearing a distinctive mark differing from that borne by the bags in which the salt issued on the first or any previous occasion was issued and kept, and not to use any of it until the whole of all previous issues has been expended and entered as expended in his account

12 The permission to remove salt duty free under these rules may at any time be cancelled and withdrawn by orders of the Collector without cause being assigned in which case the manufacturer shall be bound to deliver up to the Assistant Collector or to such person as he may, in writing, appoint to receive the same, all salt removed under these rules which may then remain unexpended in the custody of the manufacturer who shall be entitled to payment therefor at the rate at which he paid for it, but to no other payment or compensation whatever

13 Any person who may be dissatisfied with an order passed by the Assistant Collector under these rules may appeal to the Collector and any person dissatisfied with an order passed by the Collector under these rules may appeal to the Central Board of Revenue.

FORM I

Form of Bond (*see* Rule 2)

Know all men by these presents that we . of . . . . and of are jointly and severally bond to the Governor General of India in Council in the sum of Government Rupees* . . . . . to be paid to the said Governor General in Council for which payment we jointly and severally bind ourselves and our legal representatives

Dated this . day of 19 .

Witness to the signature of the said (Sd)

Witness to the signature of the said (Sd)

The above bounden . . . . (hereinafter called the manufacturer) having been permitted to remove from time to time from the salt factory or depot at such quantities of salt as he may require not exceeding Indian Maunds at a time per month for use in his manufactory of . . . . at . . . . for the purpose and in the manner below stated without payment of duty under the rules, of which a copy is hereunto annexed

Purpose of use Manner of use

The condition of this obligation is that if the manufacturer and his legal representatives and his or their servants employed in the said manufactory shall at all times well and truly observe and keep the conditions of the said rules, then this bond shall be void, otherwise the same shall remain in full force

Signed on behalf of the said Governor General in Council by . . . . . Collector of Central Excise, Madras on the . . . . . day of . . . . . 19 .

COLLECTOR OF CENTRAL EXCISE.

Witness to the signature of the Collector of Central Excise

Note—After the establishment of the Federation of India the words 'in Council', wherever they occur, shall be omitted

FORM II

Form of agreement (*see* Rule 6).

I of . . . . being appointed by . . . . . to be manager of his . . . . . manufactory at . . . . . for use in which for the purpose and in the manner below set forth the duty-free issue of salt has been permitted by the Assistant Collector of Central Excise . . . . . Division, under the Rules, a copy whereof is hereunto appended do hereby declare that I will faithfully observe and keep all the conditions of the said Rules and will, so far as income lies, cause all servants employed under my orders in the said manufactory so to observe and keep them.

Purpose of use;

Manner of use;

*Here enter double duty on the salt allowed to be removed.

I understand that in the event of any portion of the said salt being used otherwise than for the said purpose or in the said manner, so as to defraud the public revenue, by me or with my connivance or consent, I shall be liable to fine and imprisonment under Section 9 of the Central Excises and Salt Act, 1944 (1 of 1944), or other law for the time being in force and relating to the Salt Revenue.

Signed on this.....day of.....19 , in the presence of .

FORM III.

Daily account prescribed under Rule 6 of the receipts and expenditure of salt issued duty-free for use in manufactures at the .....Manufactory at.....

	Receipts				Expenditure					
Date	Date of bond under which received.	Quantity received	Factory from which received	Total received	Purpose for and the manner in which used.	Quantity used.	Total used	Balance in hand	Signature of the manufacturer, or his Manager, or the Officer-in Charge.	Remarks by the Inspecting Officer
1	2	3	4	5	6	7	8	9	10	11
		I Mds.		I Mds.		I Mds. S. T.	I Mds. S. T.	I Mds. S. T.		

N B.—This account should be closed and the balance of salt in hand be carried forward to a new account on the first day of April in each year.

R. J. PRINGLE,
Deputy Secretary to the Government of India.

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES)

Simla, the 22nd September, 1945

NOTIFICATION

SALT

No. 6.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (1 of 1944) the Central Government is pleased to direct that the following amendments shall be made in the Sind Salt Rules (1940, published with the Resolution of the Government of Sind in the Revenue Department, No 223-B , dated the 15th January, 1940, namely :—

In the said Rules—

(i) For Rule 8 of the following shall be substituted, namely :—

"8 The hours of work during which salt shall be issued for removal shall be from 8.0 A M. to 6.0 P M , excluding a period of recess from 1 0 P.M , to 3 0 P.M. When, however, during the said period of recess salt is being removed from a salt works by sea under the Salt Transport and Export, Rules, 1943 and the trader so desires, arrangements for work during the period will be made only when the steamer taking cargo is in harbour. Issues of salt for removal under the Salt Transport and Export Rules, 1943, may, however, be allowed during night on payment of fees prescribed in rule 12 but no removals of such salt shall be allowed from the salt works at night, except by sea. At Dilyar and Saran the hours of work may be varied by the Superintendent to suit the local conditions, with the approval of the Revenue Commissioner for Sind."

ii) In rule 9, *for* the words and figures "Transport and Export Rules, 1933", the words and figures "Salt Transport and Export Rules, 1943", shall be substituted.

(iii) The following shall be inserted as Rule 12-A, namely :—

"12-A. When salt is removed in bond from a salt works by land for shipment at the port of export, the transporter or exporter shall pay a fee of annas three per hour or part thereof for every escort posted by the Superintendent. The fee so recovered shall, in the first instance, be credited to Government and later drawn on a bill and paid to the guard (naiks and peons) as overtime allowance according to the period of extra work put in by him

Note.—The fee shall be payable from the time the escort is placed at the disposal of the applicant to the time he is brought back to the works by him. The applicant shall make arrangements for the escort's transport to and fro at his (applicant's) cost."

R. J. PRINGLE
Deputy Secretary to the Government of India.

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES

Simla, the 13th October, 1945

NOTIFICATION

SALT

No. 7. —In exercise of the powers conferred by clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (1 of 1944) the Central Government is pleased to direct that the following amendment shall be made in the rules published with the notification of the Government of India in the Finance Department (Central Revenues), No 4-Salt, dated the 26th May, 1945, namely :—

For Form III of the forms annexed to the said rules, the following form shall be substituted, namely :—

"FORM III

(*See* Rule 6)

Daily account of receipts and consumption of salt in the manufacture of ..... at the manufactory at .....

Date	Date and No. of bond	Openiny balance	Quantity received	Factory from which received	Total in stock	Quantity issued	Closing balance	Quantity of .... manufactured	Signature of Manufacturer or Manager	Remarks
1	2	3	4	5	6	7	8	9	10	11
		I Mds. S. T.	I Mds.		I Mds. S. T.	I Mds. S. T.	I Mds. S. T.			

N.B.—This account should be closed and the balance of salt in hand be carried forward to a new account on the first day of April in each year"

R. J. PRINGLE,

Deputy Secretary to the Government of India.

PAPERS LAID ON THE TABLE

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES)

Simla, the 3rd November, 1945

NOTIFICATION

SALT

No. 8.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (1 of 1944) the Central Government is pleased to direct that the following further amendments shall be made in the rules published with the notification of the Government of India in the Finance Department (Central Revenues), No 1-Salt, dated the 12th January 1935, as amended from time to time, namely —

I In the said Rules—

1. In rule 1, after the words "for each such factory or words" the words "even if they are situated in the same premises" shall be inserted.

2. After rule 1, the following rule shall be inserted, namely—

"1-A. The Central Government or the Collector; while sanctioning an application, may, if necessary, fix the maximum quantity of salt upto which refund of duty may be allowed in a year The sanctioning authority may fix different maximum limits for different factories and works run by a manufacturer The limit so fixed may be varied from time to time by the sanctioning authority".

3. Rule 3 shall be renumbered as sub-rule (1) of that rule and in sub rule (1) as so renumbered—

(i) after the words "salt works" the words "saltpetre refinery, Government golah, Government" shall be inserted .

(ii) for the words "supported by the ... returned to the manufacturer" the words "supported as the case may be by the (1) receipt in form A, of the firm from which salt has been purchased, (2) salt removal permit in form A-I in the case of salt obtained from private salt works or saltpetre refineries, (3) certificate in form A-II in the case of salt obtained from Government salt works or depots or (4) customs receipt or a copy of the import bill of entry showing that customs duty has been paid in the case of imported salt removed from Government golahs These documents shall not be returned to the manufacturer" shall be substituted; and

(iii) after sub-rule (1) as so renumbered the following shall be inserted namely—

"(2) No refund of duty shall be allowed unless an application for such refund reaches, the Assistant Collector within six months of the close of the relevant half year"

4. Rule 7 shall be renumbered as sub-rule (1) of that rule and after sub rule (1) as so renumbered the following shall be inserted, namely :—

"(2) Each consignment of salt procured by the manufacturer under this concession shall be stored separately in the store-room and distinctively marked, and the manufacturer shall not use any salt from any such consignment until all the salt previously procured has been expended and entered as expended in his accounts"

5 In rule 8 –

(1) to sub-rule (2) the following shall be added namely —

"provided that when the store-keeper is away from the premises of the factory or works he shall leave the key with the Manager."

(II) after sub rule (2) the following shall be added as sub-rule (3), namely—

"(3) The key of the store-room shall be available at the premises of the factory or works to facilitate inspection of the salt godown by inspecting officers, at any time between the hours of sunrise and sunset, failing which the manufacturer shall be liable to a fine not exceeding rupees one hundred for each occasion the inspecting officer has to return without being able to inspect the godown".

6 In rule 10, after the words "in Form B" the words "appended to these rules" shall be inserted.

7 To rule 11, the following shall be added at the end, namely—

"The Collector may, however, permit the manufacturer to stock Khewra rock-salt in bulk."

II. In the forms appended to the said Rules—

1 in form A after the words "Receipt" the words "in case of salt purchased from a firm of approved dealers" shall be inserted; and

2. after form A, the following forms shall be added, namely—

"FORM A-I

Form of permit in respect of salt obtained from private salt works or saltpetre refineries

(Rule 3)

Mr./Messrs. concessionaire(s) is/are permitted to remove maunds of salt from Salt works/saltpetre or factory/refinery for use in his/their factory at

Date. Inspector

FORM A-II

Form of Certificate in respect of salt obtained from Government salt works or depots

(Rule 3)

Certified that wagon(s) (..... maunds) of salt has/have been cleared on ..... against indent No ....., dated....., placed by Mr./Messrs ..... concessionaire(s) at the ....., treasury.

Officer Incharge

Date. of the Depot/Works"

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES)

Simla, the 3rd November, 1945

NOTIFICATION

SALT

No. 10.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the rules published with the notification of the Government of India in the Finance Department (Central Revenues), No. 5-Salt, dated the 4th February 1926, as amended from time to time, namely:—

I. In the said Rules:—

1. To rule 2, the following shall be added, namely:—

"even if they are situated in the same premises".

2. After rule 2, the following shall be inserted, namely:—

"2A. The Collector, while sanctioning an application may, if he considers necessary, fix the maximum quantity of salt up to which refund of duty may be allowed in a year. He may fix different maximum limits for different factories and works run by a manufacturer. The limit so fixed may be varied from time to time by the Collector".

3. In rule 4:

(i) for sub-rule (1) the following shall be substituted, namely:—

"(1) The concession shall only be allowed on salt used on and from the date of deposit of the inspection fee into the Treasury. After making this payment the manufacturer shall in the first instance provide himself with duty paid salt for use in the process mentioned in his application under rule 2, by purchase from a salt works or a firm of salt dealers approved by the Collector, and shall at the close of each quarter submit to the Assistant Collector an application for a refund of duty on the salt used which should be supported by the Salt Removal Permit in Form A, in the case of salt obtained from a salt works or the receipt in Form B, of the firm from which salt has been purchased. The forms A and B are appended to these rules":

(ii) after sub-rule (4) the following shall be inserted, namely:—

"(5) No refund of duty shall be allowed unless an application for such refund reaches the Assistant Collector within three months of the close of the relevant quarter".

4. After sub-rule (2) of rule 5 the following shall be inserted, namely:—

"(3) Each consignment of salt procured by the manufacturer under this concession shall be stored separately in the store-room and distinctively marked, and the manufacturer shall not use any salt from any such consignment until all the salt previously procured has been expended and entered as expended in his accounts".

5. In rule 6:—

(i) to sub-rule (2), the following shall be added, namely:—

"provided that when the store-keeper is away from the premises of the factory or works, he shall leave the key with the Manager of the factory", and

(ii) after sub-rule (2) the following shall be inserted, namely:—

"(3) The key of the store-room shall be available at the premises of the factory or works to facilitate inspection of the salt godown by inspecting officers, at any time between the hours of sunrise and sunset, failing which the manufacturer shall be liable to a fine not exceeding rupees one hundred for each occasion the inspecting officer has to return without being able to inspect the godown."

6. In rule 9, for the words "the form" the word and letter "Form C" shall be substituted.

II. (i) In the form appended to the said Rules, the word and letter "Form C" shall be inserted above the words "Salt Register"; and

(ii) before the said form, the following forms shall be inserted, namely:—

"FORM A

Form of Permit in respect of salt obtained from private salt works

(Rule 4)

Mr./Messrs ..... concessionaire(s) is/are permitted to remove ..... maunds of salt from ..... salt works or factory for use in his/their factory at .....

Date. Inspector

FORM B.

Form of Receipt in respect of salt purchased from a firm of approved dealers.

(Rule 4)

Received from the..... sum of Rs. ....in payment for ..... maunds of full duty-paid salt purchased for use in his/their factory at..... .....

Date

Signature of Approved dealer".

R. J. PRINGLE,
Deputy Secretary to the Government of India.

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES)

Simla, the 15th December, 1945.

NOTIFICATION.

SALT.

No 11.—In exercise of the powers conferred by clause (v) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the rules issued with the Notification No 561, dated the 18th December, 1899, under clause (b) of Section 85-A, of the Madras Salt Act, 1899 (Madras Act IV of 1899), namely —

(I) In section B, of the said Rules—

(a) in rule 7, for '5 P.M.' substitute '4 P.M.'; and

(b) in rule 8, for the figure and words '8 A.M.' and will continue until 1 P M ' substitute '7 A M , and will continue until NOON'

(II) In rule 3 (VIII) of section C, of the Said Rules, for '6 P M ' substitute '5 P M.'.

A A. BURNEY,
Deputy Secretary to the Government of India.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural). Sir, will all these papers form part of our proceedings and will therefore be circulated to us?

Mr. President: I understand the procedure is that short statements are included in the Assembly proceedings, but if the statements are long they are placed on the Library Table.

HINDU MARRIAGE DISABILITIES REMOVAL BILL

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Sir, I beg to move for leave to introduce a Bill to remove legal disabilities under Hindu Law in respect of marriage between Hindus.

Mr. President: The question is:

"That leave be granted to introduce a Bill to remove legal disabilities under Hindu Law in respect of marriage between Hindus"

The motion was adopted.

Dr. G. V. Deshmukh: Sir, I introduce the Bill.

HINDU MARRIED WOMEN'S RIGHT TO SEPARATE RESIDENCE AND MAINTENANCE BILL

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Sir, I beg to move for leave to introduce a Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances.

Mr. President: The question is:

"That leave be granted to introduce a Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances."

The motion was adopted.

Dr. G. V. Deshmukh: Sir, I introduce the Bill.

THE SPECIAL MARRIAGE (AMENDMENT) BILL

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Sir, I beg to move for leave to introduce a Bill further to amend the Special Marriage Act, 1872, for certain purposes.

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Special Marriage Act, 1872, for certain purposes."

The motion was adopted.

Dr. G. V. Deshmukh: Sir, I introduce the Bill.

DELHI SIKH GURDWARAS AND RELIGIOUS ENDOWMENTS BILL.

Sardar Mangal Singh (East Punjab: Sikh): Sir, I beg to move for leave to introduce a Bill to provide for the better administration of the Sikh Gurdwaras in the Delhi Province and their properties wheresoever situate.

Mr. President: The question is:

"That leave be granted to introduce a Bill to provide for the better administration of the Sikh Gurdwaras in the Delhi province and their properties wheresoever situate."

The motion was adopted.

Sardar Mangal Singh: Sir, I introduce the Bill.

COMMITTEE ON PETITIONS.

Mr. President: I have to announce that under sub-order (1) of Standing Order 80 of the Legislative Assembly Standing Orders the following Honourable Members will form the Committee on Petitions, namely:—

1. Syed Ghulam Bhik Nairang.
2. Mr. Sri Prakasa.
3. Mr. T. Chapman-Mortimer.
4. Sardar Mangal Singh

According to the provision of the same Standing Order the Deputy President will be the Chairman of the Committee.

The Assembly then adjourned for Lunch till Four of the Clock.

The Assembly re-assembled after Lunch at Four of the Clock, Mr. Prsident (The Honourable Mr. G. V. Mavalankar) in the Chair.

MOTION FOR ADJOURNMENT

FAILURE OF THE GOVERNMENT OF INDIA TO INSTRUCT ITS DELEGATE TO U. N. O. TO CONVEY TO THE SECURITY COUNCIL STRONG VIEW OF THE ASSEMBLY re ANGLO-DUTCH OPERATIONS AGAINST INDONESIA

Mr. President: Before the Honourable Member, Mr. Asaf Ali, begins, I might just invite the attention of the House to the limitations of this debate. As I have stated while admitting the motion, the scope of the motion is restricted to the failure of the Government of India in communicating or not communicating the wishes of this House to their representative in London. So far as the original merits are concerned, there has been a discussion once in this House and that discussion will not be permitted, and I hope that the Honourable Members will co-operate with me in not going into the merits of the question. Perhaps some remarks may be necessary, but that is only just to introduce the subject. The scope of the motion is only restricted to the failure of the Government of India.

Mr. M. Asaf Ali (Delhi General): I am thankful to you, Sir, that you have defined the scope of today's debate and have in a way given me and others also necessary guidance in the matter so that we may not stray into forbidden fields. Sir I move:

"That the Assembly do now adjourn."

Sir, when I gave notice of this motion for adjournment to discuss a definite matter of urgent public importance, namely, the failure of the Government to instruct its delegate to the United Nations Organisation to convey to the security Council now in Session in London the strong views of the elected members of the Assembly on the subject of Anglo-Dutch operations against the nationalist forces in Indonesia, I meant to do no more than merely expose the true nature and attitude of the External Affairs Department and the Government of India in relation to the elected side of the House. We have been invited from time to time to consent to participate in international conferences and it is suggested to the world, I suppose, and also to India, that we are really attaining an international status. Perhaps we may have been induced to consider these invitations as genuine if the real spirit of the Government of India was not expressed in the kind of reply that was given by the External Affairs Secretary this morning. He, in the first place, tried to evade the issue. He tried to put in the way of my adjournment motion technical difficulties and finally he got up and said "after all it is our duty to decide as we happen to be the Government of the day, whether the views expressed in this House should or should not be communicated to anybody outside the country It is we who have to judge whether the views and opinions of this House are worth considering at all"—that is what he said in effect On the one hand we are being told, and also the world is being told from day to day that India is on the threshhold of freedom; that India is about to attain her full stature; that India is about to take charge of her own destiny; and it is only a matter of weeks before the popular representatives will be sitting on the other side of the House and they will be shaping the destinies of India according to their own wishes If that is true, is it or is it not correct that the Government of India should treat the opinion and views of this House as if they were binding upon them? After all if they are no more than caretakers for the next three or four weeks, or may be two or three months, then, as caretakers, it is their duty to take into consideration and to give full weight to the opinion of this House and to deal with us in a manner as if they were responsible to us. We do not find it to be so. On the contrary we find that in a matter which is of the most vital importance not merely to India but to the whole world, they treat our opinon with scant courtesy and dismiss it almost unceremoniously And they have the audacity to come and tell us 'well, we do not think that the opinion of this House, as expressed by the elected Members of this House, is worth considering, and therefore we have not communicated it to our representative who has gone to participate in the U. N. O. Conference in London'. We are not aware whether their delegate to the United Nations Organisation has any voice in the Security Council, but in any case even if he had any voice, it is obvious that he is not required to voice the feelings and the views of India. He is only required to voice the feelings and views of his masters. If that is so, the only reply we can return is that we cannot possibly agree to any person going to any of these international conferences and pretending that he represents India. He does not represent India; he represents somebody else, somewhere else.

When the United Nations Organisation was started, it had the following principles before it. Its purposes and principles are defined as follows:—

"The purpose of the United Nations are to maintain international peace and security, and to that end to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means and in conformity with the principles of justice and international law an adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

Further, to achieve international co-operation in solving international problems of economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms, for all. . . . . "—mark the words—. "fundamental freedom for all. . . . . "(for all without distinction as to race, sex, language or religion)."

Now, Sir, in so far as these objectives and principles are concerned, India has expressed herself over and over again both in and outside this House in unmistakable terms. We do not want any subject country to remain subject to any other country anywhere in the world. We want to see free nations flourish all over the world without any interference by outsiders. We do not want any foreign governments to come and exploit other countries, much less do we want strong countries to come and exploit weaker countries. That is our view, and in so far as Indonesia is concerned, we have made it perfectly clear that we do not want the Dutch Government to go and establish their sovereignty there now when they cannot possibly do it on their own even on the basis of brute power. They have to be supported by someone else; and we have made it perfectly clear that we do not want the British Government to support the Dutch in re-establishing their sovereignty in Indonesia which had all but disappeared before the British began to support them This is a view which is based not merely on the fundamental freedom of the nations but it is also based on the fundamental issues of the human race, namely, that we do not want any wars to recur in this world and we do not want the causes of war to fester in the body politic of humanity It was our view that the Indonesian trouble should be brought to an end as quickly as possible. This view ought to have been communicated to their delegate who had gone to the United Nations Organisation, so that he might have conveyed it to the Security Council, even if he had no direct voice in the Council, and the world should have known how India was viewing this problem It would have lent support to the view expressed by some one who cannot easily be brushed aside even by the United Nations, namely, the representative of Russia. And what did he have to say about the situation? He says that the messages received from Hague show that "we can expect still more extensive military activities against the Indonesians" and he says: "I must submit that such activities are fraught with threats to future peace and security". Further he says "I feel I am unable to admit that operations of this kind against popular elements and a nationalist movement are limited to action against terrorists and for the maintenance of order I must say how strongly I feel myself in agreement with Mr. Noel Barker, the British Minister of State and a U. N. O. delegate who says that the phrase 'restoration of orders' often has a most sinister connotation in connection with colonial history". Again, he sums up the situation by saying:

"And we say that war is being waged against the Indonesian population. This is a very dangerous situation It is dangerous to the future It may light a spark which may set light to the powder-barrel and start a world-wide conflagration."

Can anything be more vitally interesting to us? It is we here, who represent the country—well to whatever extent we do—who are fully aware of the fact that on two different occasions during the last 25 years, this country has been dragged into devastating wars and their effect is visible in the country to anyone who may pay even a flying visit here. Only the other day we were discussing the food situation and we know what is going to happen. Was not this situation in India greatly aggravated by the operations which were started here during the last war? Sir, if another war is in the offing, I can imagine what is likely to happen to the whole world.

Mr. President: The Honourable Member must now finish.

Mr. M. Asaf Ali: I am finishing. It might go up in smoke. Well, if those who want to contend for power want to go up in smoke they are perfectly welcome to do so. We do not want to be a party to any such proceedings and it is on that basis that I censure this Government for not communicating our views and feelings to the proper person who might have conveyed them to the Security Council of the United Nations Organisation.

Mr. President: Motion moved:
"That the Assembly do now adjourn."

Sir Mohammad Yamin Khan *(Agra Division: Muhammadan Rural): The narrow issue before the House is whether it was part of the duty of the Government of India to convey the feelings and the views of this country to the* representatives who have gone to take part in the deliberations on behalf of India. The Honourable the Foreign Secretary said this morning that he did not consider it to be a part of his duty to convey these ideas. Now the House wants to impress on the Government that it is their duty and it must be discharged by the Government of India whenever they find that there is a feeling in the country on any issue. The Honourable the Foreign Secretary knows fully well that there is a strong feeling in this country on this issue which has been properly ventilated in this House on the last occasion. I need not go into the details of what took place and how those ideas have been conveyed to the Government. I think it was the duty of Government to have conveyed those feelings of the country. It is not only a matter of mere sentiments and feelings but it vitally concerns the future independence of this country. India has got feelings for all the Asiatic countries and the liberation of the Asiatic countries is an issue which should be made known to all the people of the United Nations who are taking part in the discussions outside India and they must be fully informed that this House, as representative of the people, voices the feelings of practically everybody in this country. These nations should be so treated so that they may achieve their freedom and there should be no action taken which may postpone the independence or hamper the achievement of independence of any country.

It was alleged in this House that it was not the Government of India which was taking any part but it was on the orders of the Home Government that these actions had been taken.

Our position, Sir, is this: If His Majesty's Government takes any action on behalf of India, then they should be fully informed about the feelings of India, and not only His Majesty's Government but also the representatives who have been delegated from here to take part in the deliberations of the U. N. O. Our representatives should support the views as they have been ventilated in this House. That is the narrow issue and I think my Honourable friend, the Secretary for External Affairs, said that he did not feel it his duty to communicate the views of this House to our representatives. By this motion it is our intention to impress upon him that it is a part of his duty to do so and that he shall in future discharge his duty properly and even now I hope he will convey to our representatives,—people who have been deputed as our representatives and who call themselves as our representatives—to voice our feelings.

With these words I support the motion

Sir Hassan Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Sir, I also want to add my feeble voice to the motion for adjournment so ably moved by the Deputy Leader of the Congress Party. The issue before us, as Asiatics and as Indians, is one of self-respect, which I very much wish our Honourable friend on the Treasury Bench will respect. Ours are the wishes of the Indian people, the elected representatives of the Indian people, elected representatives who are sitting on the Congress Benches and on the Benches of the Muslim League. How often have we not heard that if India unites, if the Muslim representatives and the Congress Hindu representatives united, we are going to get every thing. Well, the action of the Government of India as expressed by the Honourable Secretary for External Affairs has absolutely shaken the foundation of this oft-repeated slogan of Whitehall and Delhi—"Unite and you will get what you want." We cannot even get common justice, we cannot even get ordinary decent treatment and the united wishes of this country are not forwarded to our own representatives sitting at the U.N.O.—our representatives who have gone there on the money of the Indian rate-payers, whom we represent here. If that is the position, our position must be very very poor indeed.

Then, as the Deputy Leader of the Congress Party pointed out, we have been told that we are on the threshhold of self-government. The oft-repeated promises of the British have given rise in us to a spirit of self-respect and to rise to full human stature which we wish that those gentlemen who sit on the Treasury Benches will respect. We do not ask for very much more. The united voice of India wanted that in the struggle for freedom of the Asiatic nations against exploitation and domination the British and Dutch Imperialisms should not unite to crush it. Are these the values for which India shed her blood, sent her manhood abroad and spent her money? The war was over only a few months ago and we are told that our united voice is not worth consideration and that our representatives sitting today in London are not going to be told what we want them to say. May I ask, are our representatives at the U.N.O. dumb-driven cattle of the British? If that is so, say so. we will then know where we stand then.

Sir, I do not wish to take the time of the House, as there may be many other speakers who would wish to express their feelings. I only wanted to let the gentlemen who sit on the Treasury Benches to realise that when India wishes a thing, whether it is the wish on behalf of the Muslims or of the Hindus, it should be respected and if it is the united voice of India, I ask them to stand true to their word that the united voice of India shall be respected.

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Mr. President Being a back-bencher I would naturally hesitate to take part in a matter which would raise controversial issues but since the issue before the House today is a very simple one I venture to tread upon the ground.

Sir, I can understand my Honourable friend, the Government spokesman, objecting to the admissibility of the motion. After all I can understand that it is avoiding discussion on a subject, in which the Government had no case. But after, in your wisdom, you decided to admit the motion, I thought that as a sportsman my friend over there at 4 P.M. would come and say that the Government made an honest mistake and that they were going to rectify it. But, Sir, I was disappointed since that sportsmanlike attitude was not exhibited.

Mr. President: The Honourable Member has not spoken yet.

Mr. Sasanka Sekhar Sanyal: There would have been no occasion for anybody to speak if he had stood up like a brave man and said that it was an inadvertant mistake, in which case there would have been no occasion for the debate and somehow or other the discussion would have taken a different turn.

Sir, the question, as has been said by the previous speakers, is a straight one It is a question of propriety on the part of the Government. We have been told for many years that democracy functions by discussion. A democratic government is a government by discussion. If that is so, then it is expected that democratic discussions will receive the respect that is due to it. Though it is not expected that the Government and the Opposition will agree in every matter, it is certainly expected that when the House gives its verdict upon a particular matter, that verdict will go out to the world as a matter decided upon in the wisdom of the House on the basis of considered discussion.

Sir, Parliaments in our country are rather peculiar. The provinces are connected with the Centre. the Centre of this country is connected with the British Parliament and the British Parliament is also connected with what we are seeing, under the restriction of the U.N.O. If that is the chain, and that is the link, is it too much for us to expect that whatever is discussed in a representative Assembly, as far as it is representative, should go out to the world with all its implications.

Sir, what is the position of our delegate there? Is he there to voice the opinions of the big men of the United Kingdom or is he there to bear the

[Mr. Sasanka Sekhar Sanyal]

burden of the opinions which are voiced in this country? If the discussions of the elected representatives of the people of this country are treated with such scant respect, I submit, Sir, it is no use flaunting the words that popular government is going to be inaugurated in this country. The other day the leader of the European Group spoke in terms to suggest anticipation. The War Secretary yesterday also spoke in terms of anticipation. Sir, if they could anticipate even the semblence or a fraction of popular government, what would be the position? The position would be that the voice of this House would be heard not only outside this House in this country but also beyond this country, because the position is clear that the fate of this country is more allied to the Asiatic nations and the Asiatic people than with Europeans who for the time being are holding the key position, and these European friends know it too well. Therefore they do all that lies in their power to keep the world outside as much in the dark as possible regarding the feelings and decisions of this House. We not only feel for our Asiatic sister countries: we have pledged our faith to them, and the British power knows that the alliance with Russia is more or less an uncertain factor. They are not yet certain as to the direction in which the Russian power will travel in the near future. Therefore it is a planned policy on their part to keep us as much away from Russian contact and contact with sister Asiatic countries as possible; and I submit this sort of test-tube democracy will not do. After all, we are not going to be a party to being mere dolls in a house in which we have neither power nor the position in the outside world. What would be the position if this government was even partly responsible? The verdict on the Indonesian question would have led to the resignation of the Treasury Benches. But even if the Treasury Benches which are under the terms of the constitution irremovable, even if we cannot remove them, at least we can expect that they would treat us as gentlemen and as decent persons and as representatives of the people and they will at least give us the credit that we want, when we discuss anything, that our discussion and decision should be heard outside.

May I put a question to the Treasury Benches? If the decision of the House was otherwise than it has been, supposing the adjournment motion had failed on that occasion, I am sure my friends on the Treasury Benches, instead of flashing out the theory that they have no obligation to send out the message of this country to the U.N.O. Council, they would have chartered a special plan and by messenger they would have sent the proceedings of this House to the U.N.O. But since the decision has been against them, they come and say that it is no part of their obligation. It is part of their obligation, and I submit that this sort of treatment meted out to the representatives of the people leads to irritation and to violent feeling, and if representatives of the people are made to feel helpless in their discussions and in their decisions, the government has to thank itself if the psychological irritation comes out into violence which has its repercussion outside.

After all, government has got the ultimate responsibility of behaving like gentlemen, so that others also will behave like gentlemen on the larger issues. Therefore the question is very simple. We want our opinions to be known to our sister Asiatic nations: we want it to be known that we are of them and we are with them and I want it to be known that whatever has been done by this irresponsible Government has been done against our knowledge and consent.

Therefore I submit that I support the motion of my deputy leader as a censure and I also support Sir Mohd. Yamin Khan when he said that this should be taken as a guidance for the future; and I would go a little further, that they should not only consider steps for sending out the proceedings of the debates of today, but they should also send out the proceedings of the debates on the Indonesian question of the first day, and the Government ought to offer apologies to the House for having delayed it. Sir, I support.

Lt.-Col. Dr. J. C. Chatterjee (Nominated Non-Official): Mr. President, if I intervene in this debate it is because I want to make my own position clear. The Mover of the Resolution started by saying, and repeated it several times, that the Government ought to let our representatives know the opinion of the elected members of this House. Two gallant knights followed him and they also said the same thing—namely, that it is for Government to inform other Governments or our representatives of the opinions of the elected members of this House. I feel that that is a most invidious distinction. Is it my fault that I happen to be a nominated member or is it the fault of my friend the Honourable Mr. Frank Anthony that he is a nominated member, or that of Sir Cowasji Jehangir who is a nominated member of this House? We have no other door of entry and therefore at all times and every time to throw this up to us that we are in a different category or that we are opposed to the sentiments of our friends and countrymen who sit on the other side, merely because we happen to have accepted nomination, is, in my opinion, most unfair. I am sure my friend over there and all my other friends who stand for equal rights for everybody (interruptions) do not wish and would not like to dub any portion of this House as Harijans. Attempts are made continually to throw up to us this fact. (Interruptions.) Let me proceed. I also wish to say this, that when I accepted the nomination to this House and on previous occasions when a nomination was offered to me, I must say to the credit of Government . . .

Mr. M. Asaf Ali: On a point of order: are we discussing nominations? We are discussing quite another problem.

Mr. President: The point is not altogether irrelevant the motion speaks of elected members.

Lt.-Col. Dr. J. C. Chatterjee: I merely want to point this out that at no time was I or any other nominated Member required to give an assurance to Government that we shall vote on any question in any particular way or that we should vote against our consciences. So far as I am concerned, I say this, that I am prepared to vote with Government when I find that they are in the right and I shall vote with the Opposition. . .

An Honourable Member: On a point of information. .

Mr. President: Let the Honourable Member proceed.

Lt.-Col. Dr. J. C. Chatterjee: I do not give way. I will vote with the Opposition on any question where my conscience dictates that they are right. Today, my friend has moved a motion with which I am in complete agreement and I am prepared to vote with him, and my reason briefly is this .

An Honourable Member: Protesting too much!

Lt.-Col. Dr. J. C. Chatterjee: There is no need to protest at all. The point is that this question now has been narrowed down by yourself, Sir, and very rightly narrowed down, to one single issue, namely, the failure of Government correctly or incorrectly to convey the wishes of this House. I say of this House, not only of the elected portion of this House. I have as much right to convey my opinion, as my friends opposite, to our representative who has been sent in the name of India and who has gone at the expense of our taxpayers to represent the opinions of India at this world conference Now, Sir Ramaswami Mudaliar himself has again and again claimed there and in other places that though he may be a Member of the Government of India, he is as much a citizen of India and he claims always that he represents the true views of India on these questions. I have no quarrel with him: I have not the time nor material ready, to question his statement or to say whether he does or does not convey the wishes of India before these representative conferences. But what I wish to point out is this: how is he to voice the feeling of this country or of this House before this assembly if he is not kept informed of the wishes of this House? As you have said, Sir, that is the issue before the House today. My feeling is that just as the representatives of other

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nations are kept fully informed and instructed by their Government of what the people of that country think and of what the Government of that country thinks, it is right and proper that our representatives at this gathering should be continually kept informed of what their country desires. I do not think anybody, even the British Government, would claim or maintain that members representing the various Dominions and self-governing portions of this Commonwealth should take their cue entirely from the British Government. I do not think that claim has ever been made or will be made. On the other hand, it has always been said that they come from countries where there is public opinion, where there is self-government and that they are all the time voicing the opinions of their country. I hope that this will be the position of our representatives at any International gathering within a very short time. And as a preliminary and as a preparation to the measure of that stature, I ask that whoever is sent in the name of India to any representative Assembly should be kept completely and constantly in touch with public opinion in his country. Therefore, I join issue with my Honourable friend on that point, but I would like him to realise that we do not vote as nominated members but that we vote according to our conscience.

Mr. H. Weightman (Secretary, External Affairs Department): Sir, in the first place I was accused of trying to sabotage the motion right from the start by an objection on the point of admissibility. I considered it my business and my duty to bring to your notice that this motion might not be admissible without consent under the terms of the rules. You, Sir, decided that it was admissible and here we are this afternoon, and I take it amiss that this accusation is made against me. Secondly, I seem to have aroused a good deal hard feeling by pointing to the fact—which is a fact, that when any Government sends a representative or a Delegation of representatives before an International Conference, that Government after full consideration of all facts brought to its knowledge and all information available to it and after consideration also of any views that had been expressed, provided it is considered that those views are well-founded, will instruct its delegate to communicate its own (that is, the Government's) considered view to that International body. And that, I think, is a position which some of the Members here may be very glad to maintain in a few months' time as I have tried to maintain it now.

Apart, however, from those considerations, I would suggest that the discussion this afternoon has been in an entirely wrong context. I am accused of not making our representative to the United Nations Organisation aware of a feeling of sympathy shared by everyone in this House towards the aspirations of the Indonesians. There is no question before the United Nations Organisation of the aspirations of Indonesia or of the possibility of its liberation and the formation of a national government. Nothing of the sort. What is before the Security Council at the moment is a suggestion by the Ukrainian delegate backed by the Russian delegate that the presence of British troops in Indonesia represents a menace to world peace. Now, Sir, had there been any question before the United Nations Organisation of the future form of Government in Indonesia it would have been a very different matter for the Government of India, as at present constituted, is not without sympathy towards such aspirations. I agree that it would have been perfectly proper, had there been such a discussion in progress to which our delegates at the United Nations Organisation could properly contribute, to communicate the sentiments of all concerned, of the whole of this House and of the whole of the country. But that is not the position. Instead we have this fantastic allegation—I cannot call it anything else—that the presence of British troops in Indonesia represents a world threat, a threat to world peace. What did Mr. Bevin say? He said:

"I have denied all along that there is a threat to peace as a consequence of the circumstances now in Indonesia. If there was that war that Mr. Vyshinsky has been talking about to us, would it be conceivable that leaders of the nationalist movement would be negotiating with us?"

Every Member of the House must be aware that the Dutch Government has made certain offers in the last two or three days to Dr. Shariar and his confreres. I see that from to-day's Press, that although there was no immediate comment by Dr. Shariar, the Indonesian Premier, other Indonesian leaders approve the spirit of the Dutch policy. There are, I think, other points in the news that one might mention.

"The Dutch, recognising the right of self-determination for the citizens of Indonesia, have put forward proposals which embody a clear and workable way towards democratic liberty."

Now, Sir, will the House bear in mind the facts of the position as they exist? Why did the troops go to Indonesia, and were they so very unwelcome to Dr. Shariar and those who are working with him? Honourable Members of this House read the news and they know that the troops were not unwelcome there. In such circumstances how could Government instruct its delegate to go before the Security Council, if he could in fact go before the Security Council, to support, as he would have had to support, this Ukrainian and Russian motion that the presence of troops in Indonesia, troops supplied by the British Empire, is likely to cause a world conflagration.

I do not see how Government could possibly have been justified in doing so and I do not think anybody in this House would really think, they were.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Is that so?

Mr. H. Weightman: If I may refer back just for a moment to the Adjournment Motion which was discussed here on 21st January on Indonesia, Mr. Jinnah remarked:

"I want to understand clearly whether it has ever been made clear to Dr. Sockarno or the Prime Minister of the Republic that the Dutch Government or the British Government are willing to negotiate and come to a settlement with them on the basis of their independence being recognised."

That is exactly what has now happened.

Now, Sir, I come to what is a more or less formal point in relation to Article 31 of the Charter of the United Nations. This reads—

"Any Member of the United Nations, who is not a Member of the Security Council."

—India is not a member of the Security Council—

"may participate without vote in the discussion of any question brought before the Security Council, whenever the latter—that is the Council—considers the interest of that member are specially affected."

Not that they are specially interested, but that their interests are specially affected. In other words, we should have had to instruct our delegate to make some application to the Security Council for leave to say that the presence of British and Indian troops in Indonesia is particularly dangerous from the point of view of India, that we think that there is a very great danger, if they stay there, of an immediate conflagration that may spread to India. Is that a sensible course to take? Of course, not. That was why we did not instruct our delegates to make any mention or attempt to secure facility to make any mention, of the debate that was held in this House on 21st January.

I should like to repeat before concluding that the House must realise the circumstances in which this discussion is going on in the Security Council. It is not in the least a matter of expressing sympathy with the Indonesians or of saying, as the Government themselves would have been perfectly ready to say, that we should like to see a good and reasonable settlement which will pave the way for complete liberation of Indonesia. That was not the issue at all and we could not have instructed our delegate to speak in such terms in the present state of affairs. All we could have said was that the delegate should find an opportunity of saying to the Security Council that we support the Russian view, that we think there is real danger at this moment. We did not think so and that is why we did not instruct our delegates.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, my Honourable friend has sought to draw a distinction between the issue that has been raised before the Security Council over the Indonesian question, and the

[Mr. K. C. Neogy.]

issue that was sought by us to be raised in the Adjournment Motion that was passed by this House on 21st January last. If my Honourable friend were to pause and analyse the underlying purport and object of our Adjournment Motion, as also the Ukrainian Motion before the Security Council, he would find that substantially the two issues are the same. Sir, the issue that is now before the Security Council is substantially for the withdrawal of British troops from Indonesia. Put it on whatever ground you like, it is the withdrawal of the British troops which term includes, Indian troops, that really matters. We on our part sought in the Adjournment Motion to reprimand the Government for their failure to refuse to co-operate with the British Government in their violent operations in Indonesia and Indo-China, even after the war with Japan was over. That substantially is a demand for the withdrawal of Indian troops from Indonesia, and therefore there is absolutely no distinction between the substance of the two issues. Now, Sir, there was a much more important issue which my Honourable friend has perhaps unconsciously raised in his speech, and that is of a constitutional character. My Honourable friend, in the first instance, wanted to be thanked for having upheld the interest of the future National Government in seeking to prevent a discussion of this character. Does my Honourable friend realise that such a situation could never possibly arise, if we had a National Government installed here, a National Government supported by a majority of the people's representatives. But then, my Honourable friend went further to assert the right of any Government, whether national or not, to determine after considering the various views that may be expressed in the legislature and by the public outside it, as to whether to instruct any delegation that may be speaking in the name of the nation on the lines on which public opinion may express itself My Honourable friend laid great stress on the authority of the Government of the day to decide whether or not to accept the opinion expressed by the legislature on an occasion like this. If I have understood enough of the British constitution in its operation in India, it is this, that the Government must be responsible to some legislature, the Government in the Provinces or at the Centre must either be responsible to the Central legislature or Provincial legislature as the case may be, or in the alternative, the Government must be responsible to Parliament That is the corner stone of the British constitution in its application to India at the present moment Take the case of the now too familiar instances of the administration of provinces being conducted under section 93 of the Constitution Act. In such cases, the normal constitution being suspended, the Governor assumes all the administrative authority and responsibility, and he is, in his turn, responsible to the Governor General, the Governor General acting in his discretion But it is clearly laid down that in so far as the Governor may be responsible to the Governor General, the Governor General in his turn is responsible to British Parliament. Take again, the case of a very well known instance in which the British Parliament and the Secretary of State, as an instrument of British Parliament, have waived their responsibility in the administration of the Central Government. I am thinking of the so called fiscal convention It has been laid down that if the Government of India, as now constituted, acts in agreement with the legislature in any fiscal matter, the Secretary of State and necessarily the British Parliament will not interfere in any such case. Therefore, it is quite clear that in so far as the Government of India may be made independent of the control of the Secretary of State and of British Parliament, the Government of India must agree to be controlled by the central legislature, as a matter of convention. Take again the very recent instance of Bretton Woods agreement. It was made quite clear on behalf of the Government that although the Government felt it necessary to enter into that agreement, they would abide by the decision of this House. That declaration was really in consonance with the constitutional position. Time and again, India is getting represented on international bodies of various characters. The theory is, I do not know what the practice is, the theory is that the Government of India is free to choose their representative for India to participate in such international conferences. The second

theory is that the Government of India is free to instruct the delegation that may represent India on such international bodies.

It is the claim of Government that they do not get any instructions from the Secretary of State in regard to the selection of delegates, or in regard to the conduct of such delegates as may be selected by the Government of India for representing India on any one of these international bodies. I take it, Sir, that that is also the position of Government with reference to the United Nations Organisation and the Security Council. I take it that it will be claimed by Government that they had an absolutely free hand in the selection of India's delegation to the United Nations Organisation, and that the Government of India have a free hand in the matter of giving any instructions that they choose to the delegation that speaks in the name of India today. Now, Sir, what is the position of the Government of India, if that assumption is made? Is it claimed by the Government of India that in so far as they are concerned with all these international bodies, they are not responsible to Parliament, and they are at the same time not responsible to the Indian legislature? I should like to know from the Pundits on constitutional law sitting on those Benches whether this is the claim that they want to put forward. Sir, I have my proper share of respect for the Honourable Members who occupy those Benches, but is it to be claimed by them that the Government of India in this context, namely, when we are considering the question of India's representation on international bodies, is a corporation of twelve autocrats who are responsible only to themselves? That is the issue on which I want a direct answer. I again repeat,—do they maintain that they are responsible to Parliament through the Secretary of State in the selection of India's delegates to the international bodies and in giving instructions to the delegates in such matters, or do they maintain that they are absolutely independent of any control of any legislature, either in India or in England? Sir, I had occasion to read a debate that took place about a year ago in the other House regarding the selection of Indian delegates to the San Francisco Conference; and I will just quote one sentence from a speech delivered by an Honourable Member who is an Executive Councillor, obviously with the fullest authority of the Government of India. This is what he said:

5 P.M.

"The Executive Councillors' decisions are supreme."

He wanted to make out that there is no interference from outside. This is a position which is constitutionally untenable unless you accept the position of being responsible to the Indian legislature.

It is a constitutional issue of great importance, and I should like the Law Member, or any one else to deal with it on behalf of Government.

Sir Cowasjee Jehangir (Nominated Non-Official): Sir, I had not the slightest intention of taking part in this debate, but some interesting speeches have been made on the constitutional issue. I should have thought that you and most Members of the House were aware of the most illogical position in which this House works. We have been made aware of that for years past, but this debate has brought pointedly to our attention this most illogical position. Here is a Government trying to function in a House where the Opposition is in a large majority. I ask you, Sir, just to try and give me one instance in any part of the world where the Government functions on a democratic basis while the opposition is in the majority. But that happens to be the case in this House, and it is the old Act of 1919 under which we are working, and naturally these illogical positions arise. Now, what is the position that has arisen in this particular case? It is a well-known fact that Indians on the whole in this country —I do not wish to divide them into religious sections, but of all religious sections—are of opinion that Indian troops should no longer be used in that part of the world which we are discussing and that they should be withdrawn. They rightly or wrongly feel that these Indian soldiers are being employed to suppress —I will not say oppress—the rightful claims of the Indonesians for self-government. They may not be right, mind you, but that is the feeling in the country today; and that was the feeling voiced in this House from all sections of the

[Sir Cowasjee Jehangir.]

opposition. It was brought before the House quite lately. Government are now blamed for not conveying that opinion or those sentiments held by the people of this country to their delegate who is now representing them on the United Nations Organisation. But Government are not of that opinion; they have explained their own position. That position is, putting it into very few words, that it was a pure accident that Indian troops had to go to Indonesia. It was a result of the war; they are there for particular purposes, one of them being to capture all the Japanese they could lay hands on. They are there to fulfil that purpose; they will be kept there till their object has been attained and then they will return to India. That is the Government case. Now in no parliament in the world can the opposition expect that the government will voice their views before an international organisation. If the Conservative Party just now in the House of Commons were to demand of the Labour Party that their views on a particular subject should be voiced by their Foreign Secretary Mr. Bevin before the United Nations Organisation, what sort of reply would they get? They will be told to mind their own business. But they are there in a minority, while you are here in a majority. But the constitutional position is that Government, although in a minority in this House, are the Government in this country today, and that has been the complaint of India for the last so many number of years. What is the use of talking of that complaint today? Let us hope and pray that that complaint will be no longer voiced in six months' time. That is the only hope and prayer that we can offer. It is no use asking Government to express our views when they are not bound to do so by law and under the constitution. Mr Neogy talked of their responsibility to this House; they are no more responsible to this House than they are to the Russian Government.

Mr. K. C. Neogy To whom are they responsible? That is my query.

Sir Cowasjee Jehangir: They are responsible as a Government under the present constitution to the Secretary of State who is responsible to Parliament That is the legal position and on more occasions than one have I pointed out to the Treasury Benches the real facts, namely, that my Honourable friends are the agents of the Secretary of State for India in India

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): You are supporting them or letting them down?

Sir Cowasjee Jehangir: I am speaking the truth I am not accustomed to support people against my conscience like some other Members of this House

Dr. G. V. Deshmukh: They are your own friends.

Mr. President: Order, order. I would like the Honourable Member to withdraw these words.

Sir Cowasjee Jehangir: Which words?

Mr. President: "Like other Members of this House."

Sir Cowasjee Jehangir: Sir, I withdraw these words . .

Dr. G. V. Deshmukh: If he made this remark against me, it does not apply to me; he need not withdraw the words.

Mr. President: Order, order The Honourable Member need not wear the cap.

Sir Cowasjee Jehangir: Now, Sir, that fact has been pointed out over and over again and for the last number of years all sections of public opinion in India and the British Government are trying and considering how this illogical position can be overcome. Instead of pointing to this illogical position which does exist, let us hope and pray that wisdom will dawn on us and that we shall stop for all times this illogical position, and we will see my Honourable friends all over the Opposition, including perhaps some nominated Members, taking their place on the Treasury Benches when such an illogical position will become impossible, as Mr. Neogy has described, and they will then have the majority in this House

behind them and then they will be in a position to instruct their delegates to express their opinion which must be the opinion held by the majority in this House.

Nawabzada Liaquat Ali Khan (Meerut Division: Muhammadan Rural): Mr. President, it is but natural that the peoples of India who are struggling for their own freedom should feel so deeply for the freedom of other subject nations. Sir, we believe that as long as the exploitation of Eastern nations is carried on by the west, there will neither be peace nor prosperity in the world. The two bloody wars which have been fought, more bloody than many people might think, during the last thirty years, have been due to this fact. It has been the greed of the Western nations which has been responsible for this terrible tragedy that has taken place in this world. The people of the West have been paying for their sins, but unfortunately the poor people of the East also have to pay heavily with them.

The Honourable Secretary has laid down certain propositions—I do not know whether he was really serious or whether he was trying to argue a very weak case. If he had been a lawyer, I would have said his arguments were like those of a third-class lawyer. He said that no Government in the world takes into consideration the decision of a legislature before they communicate their views to their delegates at any International conference. Sir, I do not know, but I think my Honourable friend has got the experience of only this Government. If he had said that this Government never takes into consideration the views of either the legislature or the peoples of this country, he would have been nearer the mark. If the Governments in other countries that are responsible to the people did not act in accordance with the wishes of the elected representatives of that particular country, they would be kicked out within five minutes. (Interruption) I think my Honourable friend, the Leader of the House, said something which I did not quite catch. If he would be good enough to say it loudly, I shall be prepared to sit down and give him an opportunity to do so.

Sir, the proposition is indeed a very simple one: It is the expression of dissatisfaction of this House over the attitude of the Government with regard to a certain motion of adjournment that was passed the other day in this House. We on this side of the House felt, and still feel, that it was the duty of the Government to have conveyed to their delegate at the United Nations Organisation what the peoples of India felt about the Indonesian question. The Honourable Secretary does not seem to think so. He said that the question of Indonesian freedom or independence is not before the United Nations Organisation. It may not be directly in so many words, but when that motion, to which my Honourable friend has referred, is being discussed by the Security Council, the effect of that motion is nothing else but the freedom of Indonesia, because I have no doubt that if the British withdraw their troops from Indonesia, the Indonesians would wipe out the Dutch in five minutes. Therefore, Mr President, the two are very intimately inter-connected, and for him to say that the Security Council is not considering this matter and therefore it was not necessary for the Government of India to convey any instructions, is not right. He has not told us whether the Government of India have conveyed any instructions to their delegate at all in this connection. I want to ask them a very straight question, because I think that the Leader of the House is probably going to take part in this debate. From the copious notes that he has been taking down I am inclined to think that he is. Would he be good enough to tell the Honourable Members of this House if the Government of India have issued any instructions, any directions, any mandate, to their representative at the United Nations Organisation with regard to the Indonesian question? Have they no opinion on this subject? This is a very direct question and I hope the Honourable Member will be good enough to enlighten the Members of this House on that. Sir Cowasjee Jehangir pointed out what he described as the illogical position of the Government of India in relation to this House. It is true that the Government is not responsible to the House, but surely I ask him and the Government of India, is it too much to expect them to be at least responsive

[Nawabzada Liaquat Ali Khan.]

to this House? Can't they at least be responsive if under the law they are not responsible. Sir, to say that this Government is incapable of doing anything till the Act of 1919 and that of 1935 are changed is I think too much to swallow. If the Government of India had the will to follow what was the opinion of the peoples in this country, they could do so in spite of the limitations which there may be in the present Act. As a matter of fact there are no limitations. At least a responsible Government has got to carry out only that which a legislature may prescribe for it. Here this Government can do much more than what even a responsible Government can do with regard to the welfare of the peoples of a particular country. Sir, I am afraid that the speech of the Honourable the Secretary has not been a very convincing one. I still fail to see why the Government of India could not have conveyed to their delegate at this conference the feelings, the sentiments and the opinions of not only the Honourable Members in this House but of the peoples of India as a whole. My Honourable friend has said that this matter is not before the Council. Well, any matter may come up before the Council tomorrow. Have you got any opinion on this subject or have you not? Have you been able to form any opinion with regard to this Indonesian question or is your mind a complete blank as it is on most of the subjects? Sir, the motion which has been moved by my Honourable friend, the Deputy Leader of the Congress Party is one to which I do not think that any Member of this House could take the least objection. It is to censure the Government in the hope—not that our censure would make any difference to them because they are not only well clothed but they are too thick-skinned—but it is only in the hope that in the future you may in your own interest take into consideration the united will of the peoples of this counrty and not treat with contempt whatever is said by this side of the House. You have been shouting from the house-tops that India is to gain freedom within a very short time. Well, if you really feel that way, then you should become more responsive to public opinion. We know that you are irresponsible. But that is no reason for you to be irresponsive. Therefore, I would suggest to the Government of India if they are capable of receiving any sensible suggestion or good advice—I would advise them even now to convey to their delegate at the United Nations Organisation the united will of the peoples of India that whatever steps may be necessary in whatever manner our delegate can help at this United Nations Organisation he should assist and help Indonesians to achieve their freedom. I think, Sir, there are so many other ways also in which a representative of a Government can assist a particular cause, provided the Government of that country were really anxious to see that that cause was advanced. He may not be a member of the Security Council. Even if the question of Indonesia's freedom does not come up categorically before the Council in so many words, he can use his influence, his offices to advance the cause of the freedom of Indonesia. Therefore, Sir, I would request the Government of India to make up their minds once for all on this question. They must do whatever lies in their power to see that the millions of Indonesians are freed from the subjection, the exploitation and domination of the Dutch. We know that they might have a soft corner for their co-exploiters. But a time comes when exploitation of weaker nations instead of being a source of strength to any particular nation become a disaster to that nation. I feel, Mr. President, that today the time has arrived when all the western nations should realize that they should give up exploiting the weaker and eastern nations. If they do not, then nemesis would overtake them.

Shri Satya Narayan Sinha (Darbhanga cum Saran: Non-Muhammadan): The question be now put.

Mr. President: The question is: . . . . .

The Honourable Sir Edward Benthall (Leader of the House): I am sorry. I thought he was going to speak.

Shri Satya Narayan Sinha: The Leader of the House may speak.

The Honourable Sir Edward Benthall: I feel I must deal with a few of the points which have been raised by Honourable Members and I would first of all deal again with the accusation that Government tried to evade this debate. Well, Sir, adjournment motions are in the form of a censure of Government. If they were not, it would be easier for Government to accept the debate. But they are always in the form of a censure, the House almost invariably does its best to bring censure upon Government, and Government therefore must be excused for endeavouring to avoid occasions of this sort when having adjournment motions moved against them. But we have not burked opportunities to discuss important matters and have given days for such questions of importance as Bretton Woods and the activities of the Planning and Development Department.

The second point I would like to make is a point which struck me very forcibly. The first three speakers—the Deputy Leader of the Congress Party, the Deputy President and my Honourable friend Sir Hassan Suhrawardy—all got up and demanded that the views of the elected Members of this House should be sent to what they described as "our representative" in London.

Mr. M. Asaf Ali: I did not.

Shri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): How do you describe him?

Mr. President: Order, order.

The Honourable Sir Edward Benthall: I regard that as heartening because hitherto in the past I have time and again sat here and listened to debates in which my Honourable friends opposite have repudiated Members of Government who have gone to international conferences. It is most encouraging to hear an Honourable colleague openly recognise a representative of this Government as that of this country. It is greatly appreciated as a tribute to my Honourable friend and I am sure that in reality this House does appreciate the magnificent work which he has done for this country, which is a credit both to India and if I may say so, also to this Government.

Mr. M. Asaf Ali: I never used the expression "our representative".

The Honourable Sir Edward Benthall: Reverting to the subject matter of the debate, I would not like my friends opposite to feel that this Government does not pay attention to what is said in the course of debate whether on adjournment motions or otherwise.

We have taken a most careful note of every thing which has been said on the Indonesian debate and copies of the debate have been sent to London, to the India Office and I may add that even if the debate had gone the other way, if the motion had been in our favour, copies would yet have been sent and I also undertake that copies of this debate too will be sent to London. Whatever Honourable Members opposite may say, the responsibility for handling of foreign affairs rests always with the Executive My Honourable friend, Sir Cowasjee Jehangir, has explained the special conditions under which this Government works, which may at times seem to be illogical. The fact, however, remains that the handling of these foreign affairs must be the job of the Executive Government.

Sir, my Honourable friend, the deputy leader of the Muslim League Party, asked me whether any instructions had been sent to our delegate on the U. N. O. to intervene in this matter. The previous speaker for Government has made it clear that our delegate there had no *locus standi* in this matter and I can give him a straight answer that no instructions have been sent for the reason which I will repeat, that on the Security Council, before which the matter comes, we in India have no *locus standi*. Under Article 81 any member of the United Nations, who is not a member of the Security Council may only participate in the discussion of any question brought before the Security Council whenever the latter considers the interest of the member are specially affected. The Council has not taken that view. It is difficult to claim that our interests

[*Sir Edward Benthall.*]

are specially affected, however deeply we may feel on the matter. This is an international agreement to which we must adhere.

Then, Sir, in conclusion, my Honourable friend asked me . . . . . .

Mr. M. Asaf Ali: It is surprising that the interests of Ukraine have been affected but not those of India!

The Honourable Sir Edward Benthall: I do not know what the technical position is but if they had not the power to bring it before the Council, they would not by the rules be permitted to do so. Ukraine happens I am told to be a member of the Security Council and therefore can bring the matter . . . .

Prof. N. G. Ranga: Not Ukraine, only Russia is a member. There are only 5 members on the Security Council. Ukraine has no seat. Your friend is completely ignorant.

The Honourable Sir Edward Benthall: I am informed that there are twelve members and that Ukraine is one. I feel quite certain that at its first meeting the Security Council would not have allowed the Ukraine to confront it with something with which it is not entitled to deal.

The correct answer is that there are eleven members on the Security Council, not 12.

Now, Sir, my Honourable friend the Deputy Leader of the Muslim League Party enquired whether we had taken note at all of the last debate on Indonesia or whether our minds were a complete blank in regard to any policy in respect of Indonesia. Sir, I think, if I may say so, the boot is on the other leg and that his mind has become a complete blank. For if he had listen to the end of my speech on that occasion, he would have heard my very clear statement on what the attitude of the Government of India towards the withdrawal of Indian troops from Indonesia was and also a very clear view that we felt at the present time that the best way of getting this matter settled was by negotiation. And I suggest still that as negotiations, from the reports I have seen, appear to have started very favourably the best way of trying to get this matter of getting Indian troops out of Indonesia settled to every one's satisfaction is by negotiation.

Prof. N. G. Ranga: Sir, the question be now put

Mr. President: The question is:

"That the question be now put."

The motion was adopted.

Mr. President: The motion now before the House will be: "That the Assembly do now adjourn" but before putting the question to the House, I just wanted to know whether the Honourable the Mover of the motion would not like to have a little amendment to what he originally submitted to the House, *viz*., to have the words "views of the Assembly" instead of "views of the elected members of the Assembly".

Mr. M. Asaf Ali: I agree to the amendment. As a matter of fact, I am sorry that I particularly emphasised the elected members right to be heard and in the light of what my friend Dr. Chatterjee has said, every word of which I endorse, I allow them also to have their say. They are with us in this.

Mr. T. Chapman-Mortimer (Nominated Non-Official): Sir, whose amendment is this? Am I deprived of expressing my opinion?

Mr. President: The motion before the House is only that the Assembly do now adjourn. I only wanted to have this explanation on record and therefore I put it to him.

The question is:

"That the Assembly do now adjourn."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 13th February, 1946.

LEGISLATIVE ASSEMBLY DEBATES

WEDNESDAY, 13th FEBRUARY, 1946

Vol. II—No. 2

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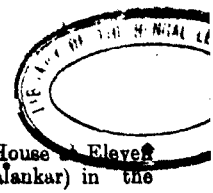
LEGISLATIVE ASSEMBLY

Wednesday, 13th February, 1946.



The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBER SWORN:

Mr. Rattan Kumar Nehru, I.C.S., M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS

(a) Oral Answers

Stoppage of Mills and Factories due to non-Supply of Coal

230. *Mr. Manu Subedar: (a) Will the Honourable the Industries and Supplies Member please state how many factories in India were stopped on account of their being officially informed that no coal could be supplied to them?

(b) How many steel rolling mills were involved in the operation of such stoppage, and from which date, and what was the amount of production lost?

(c) How many of them are, since the stoppage of hostilities, invited to start operations again and are being supplied with coal?

The Honourable Mr. A. A. Waugh: (a) As the Honourable Member is aware there are authorities both under the Central Government and under the Provincial Governments controlling the allocation of coal, and the duration of stoppages has varied. No general information is available with Government, but if the Honourable Member has any particular factories, or classes of factories, in mind, Government will endeavour to collect the information.

(b) Owing to acute shortage of coal, 81 steel rolling mills were involved in such stoppages from 16th August 1944 to 30 June 1945. There was no loss in the total production, as the re-rolling mills which remained in operation during this period produced 144,013 tons between 1st September 1944 and 30th June 1945, as against 130,393 tons produced by all re-rollers during the corresponding period, 1st September 1943 to 30th June 1944.

(c) All of them.

Mr. Manu Subedar: May I know, in view of the increased production of coal which has been promised and the desirability of giving preference to coal transport over even military goods transport, which I urged the other day, whether the Honourable Member will endeavour that hereafter factories will not be closed for want of coal?

The Honourable Mr. A. A. Waugh: Yes, Sir; I shall use my best endeavours to that effect.

Mr. Manu Subedar: The factories I had in mind are textile factories and paper factories and miscellaneous factories for steel production and others, and since the civil population has been starved of these things and there is an acute shortage of steel, will not the Honourable Member endeavour to give absolute priority to coal for industrial purposes even over the military goods movement, now that the war emergency has ceased?

The Honourable Mr. A. A. Waugh: I cannot guarantee absolute priority. I can guarantee very high priority.

Sri M. Ananthasayanam Ayyangar: What quantity of coal does the Honourable Member expect will be released from military requirements to industries now, after the cessation of hostilities?

The Honourable Mr. A. A. Waugh: The amount of coal now being consumed for defence purposes is very small.

Mr. Manu Subedar: Have Government ascertained the number of men thrown out of work by the stoppage of the 81 rolling mills which the Honourable Member mentioned?

The Honourable Mr. A. A. Waugh: No; I have not got the figures.

CONTROL PRICE OF STEEL DURING WAR

231. *Mr. Manu Subedar: (a) Will the Honourable the Industries and Supplies Member please state the control price of steel, at which steel was purchased by Government from the steel manufacturers in India during the period of the war?

(b) How often was the price revised?

(c) Were the manufacturers free to sell in the open market the defectives, which did not come up to the specifications?

(d) Is it a fact that the rate of these defectives increased enormously during the war? If so, what was the reason given by the firms?

(e) How does the rate, at which the firms were allowed to sell to the public, *i.e.*, the civil population, compare with the rate at which they sold to Government?

(f) Are Government still receiving this preferential rate on their purchases? If so, what is the reason for penalising the civil population and not compelling the manufacturers to supply to the civil population at the same rate?

The Honourable Mr. A. A. Waugh: (a) There are over 60 categories of steel, and prices have varied from time to time. Government regret, they cannot furnish full statistics of all prices paid by Government, but the following may make the general position clear:

The basic prices of steel bought by Government for Defence purposes were the commercial prices current shortly after the outbreak of war, adjusted to F.O.R. Tatanagar, and revised every six months for increases in costs. Government purchases for non-Defence purposes were paid for at commercial rates, which were uncontrolled until June 1944. For instance, the price of bars for (rounds and squares below 3" and flats 1" to 5" wide, thickness 1/4" and over) in October 1939, for defence purposes was Rs. 167 per ton; between the 1st October 1942 and 31st March 1943, it was Rs. 177 and between 1st April 1944 and 30th June 1944 it was Rs. 197/8/-.

(b) In the case of Defence steel, prices were revised half-yearly on the basis of increases in costs, as stated above. Following the introduction of commercial price control in June 1944, the prices of commercial steel have since been revised six times.

(c) No, Sir. The distribution of defectives has been controlled since August 1941.

(d) Yes, Sir. Up to the first half of 1942, tenders for defectives registered a steep rise in price. The main producers then agreed to stabilize prices under a ceiling price fixed about Rs. 10 per ton below the prices of untested standard steel. Statutory price control was introduced from 19th May 1943.

(e) The question presumably refers to standard steel, as Government is not a purchaser of defectives. At present the difference between the price of steel supplied to Government for Defence purposes and the commercial price of main producers is roughly Rs. 10 per ton.

(f) Yes. Government under their war contract get a rebate on the commercial price, but this does not amount to penalizing the civil consumer.

Mr. Manu Subedar: With a view to encourage building operations which will help the rehabilitation of soldiers and others, will Government now endeavour to bring down the price of steel which is used for building purposes, and give the required stimulus by bringing it down by Rs. 10 less, which the Government are getting themselves on the Government purchases?

The Honourable Mr. A. A. Waugh: I might say that the prices of certain commercial kinds of steel came down by roughly Rs. 30 per ton on 1st July

past, and the question is constantly under consideration whether we can reduce the commercial price of steel. As to the rebate which Government get for defence purposes, that is not totally unjustified. I think it is usual business practice that large buyers pay something less than others because they are buying in a big way.

Mr. Manu Subedar: May I urge on the Honourable Member to go thoroughly into this question and fix the prices for the commercial buyer, not on the basis which has been current in the past, but on the actual cost basis and whether the steel firms are unable to supply, now that the war emergency has ended, is it not a question which Government ought to inquire?

The Honourable Mr. A. A. Waugh: I shall certainly examine whether prices can be brought down.

Mr. Muhammad Nauman: May I know if the present average cost of Rs. 10 is nearly 300 per cent. more than the pre-war rates of August 1939, when it was Rs 3/12 a ton?

The Honourable Mr. A. A. Waugh: I do not think that is correct.

Mr. Muhammad Nauman: What was the rate in August 1939?

The Honourable Mr. A. A. Waugh: I would point out that the present price for certain main categories is very much what it was at the outbreak of the war, owing to the recent reduction. I should also like to say that as things now are, Indian steel is among the cheapest steel in the world.

Seth Govind Das: Are the Government aware that even at present prices the civilian population is not getting enough steel for their building purposes?

The Honourable Mr. A. A. Waugh: The amounts allocated for civil users last year was something like 330,000 tons and this year the amount that is going to be available for the civil consumer will considerably exceed that figure. I cannot give my Honourable friend the exact quantities yet. The various regions have been allotted large quotas; if these have not reached the actual consumer, then I am afraid there must be something faulty in the provincial distribution.

Seth Govind Das: Are Government aware that in the Central Provinces enough steel is not available for the civil population?

The Honourable Mr. A. A. Waugh: I think the allocation for the region is very adequate and it is not reaching the consumer. I suggest that this matter might be taken up with the Provincial Government.

Mr. Manu Subedar: Are Government aware that the system of steel control has not proved satisfactory and it has evoked lot of protest from all parts of the country and that large stocks of usable steel are frozen in the hands of merchants who are anxious to sell—they are not permitted to sell—the necessary licenses are not given?

The Honourable Mr. A. A. Waugh: I will look into this question. There was justifiable complaint when the Honourable Member wrote to the Honourable Supply Member but after that the regions have got adequate quotas of steel. I will make inquiries and find out the position.

Cost of Fertilizer Plant in India

232. *Mr. Manu Subedar: (a) Has the Honourable the Industries and Supplies Member noticed the statement in the *Indian Finance* of the 22nd December, 1945, that "At the same time four synthetic ammonia units were installed at a cost of some £2,000,000 (Rs. 2,14,00,000). Construction of plant to convert the output of these units into ammonia sulphate fertiliser has now been commenced. These may play an important part in food production in the immediate post-war years, as well as safeguarding Australias' future needs of explosives"?

(b) Are Government in a position to state now the cost of the proposed fertiliser plant in India, which was at one time estimated by them at ten crores of rupees?

(c) Has the Pitkeathly Mission borne fruit? If so, will Government give the latest position with regard to the establishment of the fertiliser industry in India?

The Honourable Mr. A. A. Waugh: (a) Yes, Sir.

(b) According to present information, the cost is still estimated at Rs. 10·79 crores.

(c) The attention of the Honourable Member is invited to the press note dated the 17th January 1946, of which I lay a copy on the table.

DEPARTMENT OF INDUSTRIES AND SUPPLIES

New Delhi, January 17, 1946.

PRESS NOTE.

GOVERNMENT FERTILISER FACTORY

It was announced in a Press notification dated January 20, 1945, that a Mission under the leadership of Sir James Pitkeathly had proceeded to the U. K. for negotiating the purchase of plant for the Government Ammonium Sulphate Factory to be erected at Sindri in Bihar. This Mission was especially charged with the responsibility of investigating the processes and plant employed in the manufacture of ammonium sulphate, both in the U. K. and in the U. S. A., with the object of securing for India the most up-to-date plant possible for the production of this type of fertiliser from indigenous materials.

After lengthy investigations with U. K. and American experts, the Mission had submitted its recommendations, and on the basis of these recommendations the Government of India have now sanctioned the negotiation of agreements for the supply of plant and machinery for the factory, and for the erection of the factory. Two contracts are contemplated: one with a leading firm of American consultants for the design of the whole factory, supervision of the erection of the factory, and seeing it into production at its rated outturn; the other with firm representing a consortium of British chemical plant manufacturers, who will arrange the supply of the necessary plant and its erection, under the supervision of American experts.

To supply the plant for this factory in the time required, it will be necessary to call upon the resources of a large number of firms including boiler-makers, manufacturers of turbo alternators, suppliers, of electrical equipment, suppliers of mechanical handling and weighing equipment, in addition to utilising the resources of the chemical engineering industry for the supply of the main chemical plant. The supply of the major part of the plant will be by competitive tender. It is anticipated that large orders for fabricated steel work, pipe work, tanks, vessels, etc., will be placed by the main contractors referred to above with Indian firms. In this way, it has been possible to secure the fullest Anglo-American collaboration in providing a plant, of the most up-to-date design, and incorporating the best experience of both countries, whilst at the same time employing to the fullest possible extent the resources of Indian industrialists and Indian labour in the supply of such plant and equipment as can be made in India.

Government are confident that, as a result of the work carried out by the Pitkeathly Mission, the Sindri factory, when completed, will be one of the most modern ammonium sulphate fertiliser factories in the world, incorporating the latest improvements known to science, both in England and in America, and capable of supplying fertiliser at the lowest possible cost to the cultivator, consistent with the utilisation of indigenous raw material.

Mr. K. C. Neogy: With reference to the Press Note, will the Honourable Member be pleased to indicate the substance of any report that may have been received from the Pitkeathly Mission in this connection, and which may have formed the basis of the consideration of the Government?

The Honourable Mr. A. A. Waugh: I am not quite sure to which part of the Press Note my Honourable friend refers to in particular.

Mr. K. C. Neogy: The Press Note states that the Government of India have recently sanctioned the negotiation of certain agreements in connection with this scheme. I take it that this sanction has been given on the basis of a report from the Pitkeathly Mission. If that be so, will the Honourable Member be pleased to lay on the table of this House any report of the Pitkeathly Mission on which this action may have been taken?

The Honourable Mr. A. A. Waugh: There was a series of reports in the ordinary course of correspondence and there is no report which summarises in one particular note the information which the Honourable Member desires but I will endeavour to give the gist.

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PRODUCTION AND DISTRIBUTION OF COTTON AND WOOLEN TEXTILES

233. *Mr. Manu Subedar: What steps has the Honourable the Industries and Supplies Member taken regarding cotton and woollen textiles:

(i) to secure larger production of those varieties in which there is a rampant black market throughout the country;

(ii) to reduce exports from India of those varieties of which there is a marked shortage;

(iii) to deal with corruption amongst officials concerned with the distribution of cloth throughout the country; and

(iv) generally to ease the cloth situation, which is reported to be still acute.

The Honourable Mr. A. A. Waugh: (i) In the case of cotton textiles, Government have obliged mills to devote 60 per cent. of their capacity to the production of dhotis, sarees, longcloth, sheetings, chaddars, shirtings, voils, mulls, drills, twills, tussores, coatings and towels, in order to secure adequate production of varieties of cloth which are most in public demand. In the case of woollen textiles, Government are issuing import licences further to expand production in India upto the level of demand.

(ii) In the case of cotton textiles, Government have completely banned the export of folded yarn and of cloth of counts of 48 and above. In the case of woollen textiles, no exports from India are permitted.

(iii) Government have no information of the action taken by Provincial Governments against officials charged with corruption in the distribution of cloth. I can assure the Honourable Member that any case brought to notice will be promptly investigated. The Central Government maintain a Special Police establishment charged with the duty of detecting corruption, and of bringing offenders to book

(iv) Among the steps taken by Government are:

Firstly, the provision of more coal for cotton textile mills. The monthly allocation of coal which stood at 121,000 tons a month in March 1944, has increased steadily. In January 1945, the figure was 155,000 tons, and since November 1945, the monthly figure has been 180,000 tons.

Secondly, consolidated demands for millstores from abroad have been placed on the India Supply Commission, London, and are coming forward.

Thirdly, Government are taking steps to obtain sufficient new textile machinery to bring about considerable expansion of India's production, both by import and by utilising Government factories in India. The estimated production cloth in the second half-year of 1945 exceeds the figures of the corresponding half-year of the three previous years, although the figures are not yet final.

Fourthly, with the reduction in exports and Defence demands, the quantity of cloth available for civil use in 1946 may reasonably be expected to be about 5,500 million yards as against a round 5,000 million yards in 1945 and a round 4,900 million yards in 1944.

Mr. Manu Subedar: Will the Honourable Member tell us the total quantity of the export of cloth? Has he not read that in recent times an enormous quantity, literally thousands of bales of cloth have been exported from India to various market and why is it so, when there is an acute shortage?

The Honourable Mr. A. A. Waugh: The export is controlled.

Mr. Manu Subedar: Is it not a fact that the control is defective? Has he not heard of corruption in the Export Control Department?

The Honourable Mr. A. A. Waugh: If my Honourable friend will bring any instances to my notice, I will be glad to look into them

Mr. Manu Subedar: Have not the Government dismissed their servants on account of this, though they have not prosecuted them?

The Honourable Mr. A. A. Waugh: I believe that is correct.

Seth Govind Das: May I ask why the export of cloth has not really been stopped when there is so much need for cloth in this country?

The Honourable Mr. A. A. Waugh: I would remind the Honourable Member that we also have very urgent needs from overseas, for example, foodgrains.

Mr. Muhammad Nauman: May I ask which are the countries to which exports have been made of cloth manufactured in this country?

The Honourable Mr. A. A. Waugh: There are a number of countries which were deprived of their usual previous sources of supply by the war, countries which were supplied by Japan.

Mr. Muhammad Nauman: Do we import food from those countries to which we send our cloth?

The Honourable Mr. A. A. Waugh: Yes, Sir.

Prof. N. G. Ranga: Are Government considering the advisability of introducing rationing in the use of cloth?

The Honourable Mr. A. A. Waugh: Yes, Sir. The rationing of cloth is in existence.

Khan Abdul Ghani Khan: Why do you not send all this cloth to the North-West Frontier Province instead of sending it outside as there is very acute shortage of cloth there? We have had lathi charges there on account of the difficulty in obtaining the cloth.

The Honourable Mr. A. A. Waugh: On this point I would like to tell my Honourable friend that the last report we ever had from the North-West Frontier Province Government was dated the 4th October. They then said that the situation was improving, although there was shortage of higher counts. Since then we have heard nothing from that Government, and most Provincial Governments are usually very vocal if they fail to get the amount of cloth allocated to them.

Khan Abdul Ghani Khan: Who sends this report, the Provincial Government or the Textile Commissioner, who is under the Central Government, sitting in the Frontier?

The Honourable Mr. A. A. Waugh: On the amount of cloth received, the report is sent by the Provincial Government.

Khan Abdul Ghani Khan: I mean about the scarcity of cloth: who sends the report of the province, the Textile Commissioner or the Provincial Government?

The Honourable Mr. A. A Waugh: The Provincial Government, if they do not get the amount allocated to them.

Sri M. Ananthasayanam Ayyangar: Is it not a fact that cloth below 40 counts is generally used by the poorer classes in this country and that such cloth was being imported from Japan before the war?

The Honourable Mr. A. A. Waugh: I must ask for notice of this question.

Sri M. Ananthasayanam Ayyangar: Then, why is it that cloth of 40 counts and below is allowed to be exported from this country and not of higher counts?

The Honourable Mr. A. A. Waugh: Because higher counts are very scarce here, and to do something for these needy countries, certain cloth is allowed to be exported.

Mr. Vadilal Lallubhai: Will the Government consider the question of helping the people in the matter of cloth by taking help of the hand-spinning industry in this country?

The Honourable Mr. A. A Waugh: Yes, Sir.

Sri M. Ananthasayanam Ayyangar: What is the percentage of the machinery that is sought to be brought into this country for the spinning mills?

The Honourable Mr. A. A. Waugh: We have not yet arrived at a decision on that, but the intention is to get as much spinning machinery as possible.

Seth Govind Das: The Honourable Member said that cloth is required overseas, but is it not the duty of the Government to see that the needs of this country are met first and then to export cloth?

Mr. President: I believe he has explained the situation.

Seth Govind Das: He has said that cloth is required in other countries. I am asking him whether it is not the duty of the Government first to see that the needs of this country are met and then to export cloth outside?

Mr. President: I believe his reply is contained in the statement that we had to export cloth in order to get foodgrains. Am I right?

The Honourable Mr. A. A. Waugh: Yes, Sir.

Mr. Vadilal Lallubhai: There is lot of second hand machinery in America which is being exported to China, Palestine and other countries. Will the Government consider getting this machinery for India?

The Honourable Mr. A. A. Waugh: I shall certainly take that up.

MANUFACTURE OF PLANTS AND MACHINERY IN INDIA DURING WAR.

234. *Mr. Manu Subedar: (a) Will the Honourable the Industries and Supplies Member please state whether it is a fact that plants for the manufacture of sugar, vegetable ghee, distillery equipment, oil expellers and many other industrial plants on order have been manufactured in India during the period of the war?

(b) What precautions have Government taken in order to see that the manufacturing capacity developed in this manner is not liquidated, but continues to function?

(c) Have Government made any provision to see that orders to the full capacity are given to the local manufacturers for the class of goods, which they are manufacturing satisfactorily?

(d) Have Government made any arrangements with regard to factories licensed by them, stipulating that the machineries will be ordered in India?

(e) Will Government make a statement of their policy in connection with this question so as to reassure manufacturers of plant and machineries in India that they will get on a priority basis their share of orders in the increased industrialisation of this country?

The Honourable Mr. A. A. Waugh: (a) Yes, Sir, with the exception of certain parts like electrical machinery. Complete sugar plants, however, have not been manufactured in India.

(b) In a Press Note issued on the 14th August 1945, Government assured producers and manufacturers that, so long as the various controls remain in force, they would endeavour to give assistance for the production of civil supplies in the same way as previously of war supplies and make the greatest possible use of indigenous production, and particularly of those industries which have, under the influence of war needs, achieved production conforming to acceptable standards and specifications. A Tariff Board has been set up by Government to examine claims for assistance or protection of industries which have been started or developed in war-time and which are established and conducted on sound business lines.

(c) No, Sir. Government have no hand in placing of private orders for these plants by users and it is for the manufacturers themselves to canvass orders for full capacity. For stores which are under control, Indian production is taken into account when issuing licenses for imports.

(d) No, Sir. I have explained the position in answer to the previous part of the question.

(e) The policy of Government in this regard has already been clarified in paragraph 9(i), (ii), (iii) and (iv) of the 'Statement of Government's Industrial Policy' issued by the Planning and Development Department on 21st April 1945 and in the Press Note issued by the Department of Supply on 14th August 1945.

Briefly, the policy is that 'subject to reasonable safeguards as to quality and price, Government will continue to encourage Indian industry by buying its products in preference to others'. It has also been decided that before some items of machinery were allowed to be imported, it should be examined whether they are not being, or cannot be, manufactured in India.

Mr. Manu Subedar: Will the Honourable Member investigate the complaint which I am making here on behalf of these manufacturers that there is not sufficient co-ordination in the various Departments of the Government and as my Honourable friend is in charge of industry, it is his duty to see that the Declaration of the 14th August and other declarations which he has now made on the floor of the House are carried out? Is the Food Department not issuing licences for vegetable Ghee factories on condition that the equipment be imported from the United Kingdom when plants of this type have been made in India and are working satisfactorily?

The Honourable Mr. A. A. Waugh: Yes, Sir; we have tried to co-ordinate the policy of the different Departments. In the particular case of Vanaspati plants, to which my Honourable friend refers, the subject was very fully thrashed out with the would-be users and manufacturers of such plant and the conclusion come to by the industrialists concerned was that it is better at the present stage to allow people either to have the machinery manufactured here or to obtain it from abroad. That is only at the present stage.

Mr. Manu Subedar: Will the Honourable Member investigate the complaint which I am making now that there is no such co-ordination and that the orders are being canalised to the United Kingdom and that the Planning and Development Department, the Commerce Department and the Food Department are all erring with regard to this matter and are encouraging the orders in the United Kingdom rather than have the stuff manufactured here? Will he please investigate this?

The Honourable Mr. A. A. Waugh: I will investigate this.

RECRUITMENT OF SUBORDINATE STAFF ON M. & S. M. RAILWAY

235. *Sri M. Ananthasayanam Ayyangar: Will the Honourable the Railway Member please state:

(a) how recruitment of staff (subordinate) drawing over Rs. 100 *per mensem* on the Madras and Southern Mahratta Railway is made, and whether there are any Selection Boards for the purpose;

(b) if the answer to (a) is in the affirmative, whether they are part time or whole time officers; and whether they consider promotions or appointments purely on merit,

(c) whether there are different scales of pay for the Anglo-Indians and Indians for the same post, or whether there are in effect grades to which only Anglo-Indians are, as a rule, promoted and not Indians;

(d) whether any kind of preference is shown to any class of persons in recruitment to subordinate posts or gazetted posts; and, if so, what, and the reasons therefor;

(e) whether any preference that may be shown to children or relatives of persons in the Railway service is shown only to the Anglo-Indians; and

(f) the number of persons recruited by promotion or direct appointment during the year 1945, on this Railway, and how many of them were—(i) Hindus, (ii) Muslims, and (iii) Anglo-Indians and others, for posts drawing Rs. 100 per mensem and over?

The Honourable Sir Edward Benthall: (a) to (f). The Honourable Member is referred to my reply to Starred Question No. 110, asked in the House on 8th February, 1946. Government understand that promotions in certain cases on the M. & S. M. Railway are being made without the aid of a selection board, and the question whether this is in accordance with the rules is being examined further. Information regarding direct recruitment on the M. & S. M. Railway to posts carrying a salary of Rs. 100 p.m. and over is being collected and will be laid on the table of the House in due course.

Mr. Frank R. Anthony: In view of the communal nature of part (c) of the question, is the Honourable Member aware of the widespread rumours that Hindu officers, particularly Brahman Hindu officers, invariably practice discrimination in favour of caste Hindu employees in the matter of promotion and selection?

The Honourable Sir Edward Benthall: I have heard it from interested parties.

RECRUITMENT OF SUBORDINATE STAFF ON N. W. RAILWAY

236. *Sri. R. Venkatasubba Reddiar: Will the Honourable the Railway Member please state:

(a) how recruitment of staff (subordinate) drawing over Rs. 100, *per mensem* on the North Western Railway is made, and whether there are any Selection Boards for the purpose;

(b) if the answer to (a) is in the affirmative, whether they are part time or whole time officers; and whether they consider promotions or appointments purely on merit;

(c) whether there are different scales of pay for the Anglo-Indians and Indians for the same post, or whether there are in effect grades to which only Anglo-Indians are, as a rule, promoted and not Indians;

(d) whether any kind of preference is shown to any class of persons in recruitment to subordinate posts or gazetted posts; and, if so, what and the reasons therefor;

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The Honourable Sir Edward Benthall: (a) to (f). The Honourable Member is referred to my reply to his Starred Question No. 110, asked on 8th February, 1946.

As regards direct recruitment on the N. W. Railway to posts carrying a salary of Rs. 100 p.m. and over, the required information is as under:—

Community	Direct Recruits
Muslims	66
Other Minority Communities	31
Anglo-Indians and Domiciled Europeans	6
Hindus	34

Prof. N. G. Ranga: With regard to part (a), what is the nature of this selection board?

The Honourable Sir Edward Benthall: *Ad hoc* selection board I think.

Prof. N. G. Ranga: Who appoints them?

The Honourable Sir Edward Benthall: The railway authorities.

Prof. N. G. Ranga: For what period?

The Honourable Sir Edward Benthall: For the purpose of selection, I think,

Prof. N. G. Ranga: For what period? Is it for special periods or for a period of three years?

The Honourable Sir Edward Benthall: For the period required to make the selection.

Sri M. Ananthasayanam Ayyangar: Why don't you hand over the selection to the Federal Public Services Commission?

The Honourable Sir Edward Benthall: That applies to gazetted staff only.

REVISION OF SCALES OF PAY OF THE POSTAL AND R.M.S. EMPLOYEES

287. *Pandit Sri Krishna Dutt Paliwal: (a) Will the Secretary of Posts and Air please state whether his attention has been drawn to the resolution passed by the Conference of the All India Union of Postal and R.M.S. employees to the effect that on and from the 15th February, 1946, the entire Postal and R.M.S., E.D.As., and E.D.Ms., who are under the organisations of the All India Postal and R.M.S. Union shall commence attending office in the minimum dress with a red badge containing the words "Hungry Postal Employee" printed on it till the revision of the scales of pay is accepted by Government?

(b) Will he please state the step or steps which Government intend to take to revise the scales of pay of the Postal and R.M.S. employees?

Sir Gurunath Bewoor: (a) Yes.

(b) I would refer the Honourable Member to the statement which I made in the House in the course of the debate on Thursday the 7th of February.

Prof. N. G. Ranga: Has the Honourable Member had any further conference with the Federation concerned after this House had an opportunity of discussing this matter?

Sir Gurunath Bewoor: The debate took place on 7th February, and since then we have been examining the various demands made by the Federation and we hope to come to a decision very early. In the meantime, contact is being maintained with various office bearers of the Union.

Shri Mohan Lal Saksena: May I know if any action will be taken against these employees for putting on these badges?

Sir Gurunath Bewoor: I do not know whether they have started putting on badges. I earnestly hope that the employees will not make themselves ridiculous in relation to similar employees of other Government departments who perhaps get something less than the postal employees and yet they do not put on these badges.

Sri M. Ananthasayanam Ayyangar: May I know whether the Commission referred to by the Honourable Member has been appointed?

Sir Gurunath Bewoor: It is going to be appointed. It will take some time to select the personnel required for the commission and to collect the material required for the work. But it is on hand.

Shri Sri Prakasa: Will the Honourable Member tell us what exactly is the situation today, and whether there is any danger of the threatened strike materialising or not?

Sir Gurunath Bewoor: I do not think there has been any development since the last five days. But the news appeared this morning that the all India Postal Union had given notice to strike to the Director General. But the fact, however, is that the Director General has not yet received any such notice.

Mr. B. B. Varma: May I know if the Honourable Member is aware of the fact that the postal employees in Bihar were putting on these badges, and that on the assurance given by the Post Master General that he will strongly recommend their case for revision of scales of pay, that they discontinued wearing these badges?

Sir Gurunath Bewoor: I do not know whether the Honourable Member is referring to an incident which took place last year or to an incident which is taking place at present?

Mr. B. B. Varma: Only a few months ago.

Sir Gurunath Bewoor: They started wearing badges and I believe the Post Master General persuaded them to give up wearing badges.

Mr. B. B. Varma: It was on the assurance that he would recommend their case strongly.

Sir Gurunath Bewoor: I will make enquiries.

Mr. B. B. Varma: The Postmaster General also wrote a letter to that effect?

Sir Gurunath Bewoor: I will enquire.

ARREST OF RAJA MAHENDRA PRATAP.

238. *Pandit Sri Krishna Dutt Paliwal: (a) *Will the Secretary for External Affairs please state if it is a fact that Raja Mahandra Pratap was arrested in Japan under the order of General MacArthur on the ground that he was the General of the Aryan Army there?*

(b) Will he state the present whereabouts of Raja Mahandra Pratap?

(c) Do Government intend to permit Raja Mahandra Pratap to return to India as a free man?

Mr. H. Weightman: (a) and (b). The Government of India have no official information, but have seen press reports of his arrest and subsequent release in Japan.

(c) Since Raja Mahandra Pratap renounced his British Indian nationality, Government are under no obligation to afford him entry into India.

Prof. N. G. Ranga: In view of the fact that many people in this country take interest in his welfare and what happens to him, will the Honourable Member enquire and see that he is given proper facilities if he desires to return to India?

Mr. H Weightman: He has not applied to return to India; so the question is hypothetical.

Prof. N. G. Ranga: In the interest of those people in India who are anxious about his welfare, will the Honourable Member enquire and find out his whereabouts?

Mr. H. Weightman: I suggest his own family should make enquiries.

Prof. N. G. Ranga: In view of the fact that this gentleman has left India more than thirty years ago, it is doubtful whether he has got any sort of relatives still alive. We all feel very much interested in him and all of us consider ourselves to be his relatives.....

Mr. President: Order, order. The Honourable Member should put a question.

Prof. N. G. Ranga: In view of the fact that a large number of people in this country are interested in him, will the Honourable Member make enquiries?

Dr. Sir Zia Uddin Ahmad: His brother is alive.

COAL SUPPLY FOR TOBACCO FLUE-CURING

239. *Prof. N. G. Ranga: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) who is responsible for allotment and distribution of coal for tobacco flue-curing in the Madras Presidency, and who entertains complaints regarding distribution and actual despatch of coal as between the distributors and consumers;

(b) whether Government have received any complaints from the consumers of the Ongole Area of the Guntur District regarding the wrong weights and excess rates imposed on consumers by the retailer at Chivala and Ongole and the refusal of the Indian Leaf Tobacco Development Company (*i.e.*, I.L.T.D.) the wholesaler for North Indian Coal. (that is, other than Singareni Coal) to entertain any complaints against the authorised retailer appointed by them; if so, when and how often;

(c) whether it is a fact that Mr. K. Sankavazza has suggested to Government on behalf of the consumers of the Ongole area that just as the Singareni Collieries have been supplying coal directly to consumers since 1943, North India coal also may be supplied directly to such of the consumers as desire it, without the unwanted mediation of the wholesaler and retailer;

(d) the reason why Government persists in imposing the unwanted, too costly services of these middlemen on the consumers; and

(e) whether it is also a fact that, in view of the refusal of the wholesaler to deal any longer with Mr. Sankavazza, the Ongole consumers of coal are today without any coal supplies for their tobacco flue-curing?

The Hnourable Mr. A. A. Waugh: (a) On recommendations made by the Tobacco Adviser, the Central Government fixes each month a quota of coal for all flue-curing concerns in India. Out of this quota, an allotment is issued by the Deputy Coal Commissioner (Distribution) in favour of the Indian Leaf Tobacco Development Co. to meet the requirements of flue-curing concerns in South India. Shipments of this coal are arranged according to the programme prepared by the Indian Leaf Tobacco Development Company who distribute it among the ryots under the supervision of the Excise Department. Complaints regarding distribution and actual despatches of coal between the distributor and consumers should therefore be entertained by the Indian Leaf Tobacco Development Company.

(b) Yes, Sir. A complaint in this connection was received from Mr. K. Sankarah in August last. This was referred to the Provincial Coal Controller, Madras who on enquiry stated that such complaints were found to have little justification.

(c) Such a suggestion was made by Mr. K. Sankarah, not by Mr. Sankarazza.

(d) To avoid delay in coal transport, it is essential to arrange despatches to one distributor, rather than direct supplies to a large number of consumers. Government will not however object to making direct supplies to individual consumers provided the tonnage required is substantial, and the case is recommended by the Tobacco Adviser and responsibility is accepted for prompt payment to the collieries.

(e) During the current tobacco curing season 2,092 tons of coal (other than Singareni) were despatched to Indian Leaf Tobacco Development Co. up to the end of January, 1946 to meet the requirements of the Ongole area.

Prof. N. G. Ranga: In what capacity have the Government entrusted this Indian Leaf Tobacco Development Company with powers to supply or not to supply coal to individual businessmen? Why should a private company be conferred with these powers?

The Honourable Mr. A. A. Waugh: They are consumers' distributors but if anybody wants to get direct supplies, we have no objection.

Prof. N. G. Ranga: Is it not a fact that although the flue-curing concerns and tobacco growers required to be supplied direct and although they are prepared to give necessary securities, yet they have not been supplied so far with the necessary coal?

The Honourable Mr. A. A. Waugh: I have no information that any firm made any such offer.

Sri V. Gangaraju: May I know whether Government are prepared to supply separately to the tobacco growers for curing purposes?

The Honourable Mr. A. A. Waugh: Provided there is adequate guarantee of adequate orders and of prompt payment to collieries by the tobacco growers.

Prof. N. G. Ranga: Who is to decide whether the assurances given by the tobacco growers are satisfactory or not? Is it the Tobacco officer or the Indian Leaf Tobacco Development company?

The Honourable Mr. A. A. Waugh: The Tobacco Adviser.

DIRECT SUPPLY OF COAL TO TOBBACCO FLUE-CURING COAL CONSUMERS OF ONGOLE

240. *Prof. N. G. Ranga: Will the Honourable Member for Industries and Supplies be pleased to state

(a) if it is a fact that Mr. K. Sankavazza complained on behalf of the Ongole Area coal consumers who are tobacco flue-curers to the Deputy Coal Commissioner (Distribution, Calcutta) on the 14th August, 1945, about the malpractices

of the retailer and the refusal of the wholesaler to set right the retailer for the distribution of coal at Chivala and Ongole and requested the said officer to subdivide the quota of coal, already allotted for flue-curing in the Ongole area, so far as the needs of those flue-curers who desire direct despatch and supply of coal in the Ongole area are concerned;

(b) whether it is also a fact that Mr. Sankavazza interviewed his assistant Mr. Scott at Calcutta on the 2nd January, 1946, and told him that unless coal was supplied to flue-curers immediately, it would be too late for this flue-curing season commencing from about the 15th January, 1946;

(c) whether it is a fact that he advised Mr. Sankavazza to approach the Tobacco Adviser at New Delhi and that Mr. Sankavazza interviewed the Tobacco Adviser in Bombay on the 26th January, and was told that it was only the Deputy Coal Commissioner at Calcutta who had to pass final orders on distribution and that he could not interfere, and

(d) what Government propose to do in order to ensure timely and direct supply of coal to the tobacco-flue-curing coal consumers of the Ongole area?

The Honourable Mr. A. A. Waugh: (a) A complaint was received from Mr. K. Sankaraih (not Mr. Sankavazza). The attention of the Honourable Member is invited to reply to parts (b), (c) and (d) of Question No. 239.

(b) and (c). Mr. K. Sankaraih (not Mr. K. Sankavazza) interviewed Mr. Scott. He was informed that Government would have no objection to arrange direct supplies in his favour or in favour of individual ryots provided their case was recommended by the Tobacco Adviser.

(d) The attention of the Honourable Member is invited to reply to part (d) of Question No. 239.

Prof. N. G. Ranga: Sir, I have myself given copious information here but the Honourable Member says he is not able to do anything. His own Tobacco Adviser was approached on behalf of the growers for this privilege and the Tobacco Adviser said he had no powers and he asked this gentleman to interview the Deputy Coal Commissioner. Is the Honourable Member aware that if they make the tobacco growers run from pillar to post in this manner they will not be able to carry on tobacco growing and flue-curing?

The Honourable Mr. A. A. Waugh: I have already said that the Deputy Coal Commissioner, subject to the availability of coal, will entertain such applications.

Prof. N. G. Ranga: Is the Honourable Member aware that even till today coal has not been supplied to our tobacco growers there although the flue-curing season starts in the middle of January?

The Honourable Mr. A. A. Waugh: Sir, I have no information.

GOVERNMENT POLICY *re* RAIL ROAD CO-ORDINATION.

241. *Seth Govind Das: (a) Will the Honourable Member for War Transport be pleased to state whether the policy of the Central Government regarding the Rail-Road Co-ordination, was clearly laid down by notifications in every Province particularly in the Central Provinces and Berar by its Government?

(b) If the answer to (a) is in the negative, what are the reasons for not doing so?

(c) Does the Honourable Member now propose to issue necessary instructions to the Government of the Central Provinces and Berar for laying out this policy of Rail-Road Co-ordination?

The Honourable Sir Edward Benthall: (a) The policy of the Central Government regarding Rail-Road Co-ordination has been set out in the White Paper which was laid on the table of this House at the opening of this session and which has been circulated to all Provincial Governments. Communiques or notifications have been issued by all Provinces in which negotiations for the

formation of tripartite companies have reached an advanced stage. A communique has also been issued in one other Province and one Provincial Government has passed a Resolution on the subject. In the Central Provinces the Provincial Government have sent the President of the Provincial Motor Union a detailed Memorandum setting out their views on Road-Rail Co-ordination policy and forwarding him printed copies of the Central Government's White Paper for distribution to Motor Unions.

(b) and (c). Do not arise.

Seth Govind Das: Will Government in the present circumstances defer this matter till popular Governments come into power, and leave the matter to them?

The Honourable Sir Edward Benthall: The whole matter is being considered by the Committee at present.

Babu Ram Narayan Singh: Is it a fact that the Bihar Government are against this Road-Rail co-ordination?

The Honourable Sir Edward Benthall: I do not think that is a strictly accurate description of the Bihar Government's policy. They are framing a policy of their own.

Mr. Muhammad Nauman: May I know what views of the Bihar Government have been so far received? Is it a fact that they do not see eye to eye with the Government of India in the matter of the road-rail programme as in the White Paper?

The Honourable Sir Edward Benthall: They differ in certain respects. I do not think they have yet put out a communique, which is the subject of this question.

Shri Sri Prakasa: May I know how far the work of that Committee has progressed and whether the Honourable Member has asked all provincial Governments to stay their hands till the work of this Committee is completed?

The Honourable Sir Edward Benthall: Yes, Sir; I informed the Provincial Governments and the Railway Administrations that we will make no further financial commitments till this Committee has reported. The Committee has had several sittings and is meeting again today.

Shri D. P. Karmarkar: Is the Honourable Member aware that the Bombay Government is proceeding with this scheme in spite of the fact that the Committee is making inquiries into the matter and that fresh permits have been issued after it was entrusted to this Committee?

The Honourable Sir Edward Benthall: Yes, Sir, but that has nothing to do with the Central Government.

Shri D. P. Karmarkar: In the interest of harmony of the whole scheme will the Honourable Member advise the provincial Government to stay its hand till the report of this Committee is submitted?

The Honourable Sir Edward Benthall: The provincial Government is fully aware of the position.

SURRENDER OF MOTOR VEHICLES BY THE CENTRAL PROVINCES GOVERNMENT TO CENTRAL GOVERNMENT.

242. *Seth Govind Das: (a) Will the Honourable Member for War Transport please state the number of new motor vehicles of lend-lease or otherwise, which have been surrendered back to the Central Government by the Government of the Central Provinces and Berar, out of the quota allotted to this Province, since the control over the motor vehicles came in force?

(b) What were the reasons stated by the Provincial Government, in question, for such surrender?

(c) Is it a fact that there was no urgent necessity for new vehicles in that Province?

The Honourable Sir Edward Benthall: (a) 30 Government owned Austin 10 H. P. motor cars were allotted to the Central Provinces in July, 1945, out of which 14 have been surrendered. No other motor vehicles have been surrendered by the Central Provinces Government.

(b) The reason stated by the Provincial Government for this surrender was that there was no demand for the remaining 14 motor cars and they could not therefore be disposed of in the Province.

(c) It is understood that the present price of these cars was the reason why they could not be sold. Presumably intending purchasers preferred to await the arrival of commercially imported motor cars in the hope that prices would be lower.

Lt.-Col. Dr. J. C. Chatterjee: In view of the fact that the Central Government have by lend or lease or otherwise come in possession of a number of spare motor vehicles, will the Honourable Member consider the desirability of allotting an adequate number of jeeps for the use of Members of this House and let them acquire these at reduced prices?

The Honourable Sir Edward Benthall: As far as I am aware, the present Government does not own any jeeps.

Mr. Manu Subedar: When does the Honourable Member expect that commercially imported vehicles will be available to the civil population, who have been waiting for them so long?

The Honourable Sir Edward Benthall: Licences have been given for a certain number, but whether any have arrived I do not know. But the price of the commercially imported 10 H. P. Austin cars has been fixed at a higher figure than for these Government imported ones; and it is possible that those who rejected the chances of getting cheaper Government imported cars may regret their action.

Mr. Manu Subedar: Is it a fact that cars can be imported cheaper from the U.S.A. and that many importers have approached Government for permission to do so, but they have been refused? Is it dollar difficulty or British patriotism?

The Honourable Sir Edward Benthall: I think that is rather straying outside the sphere of the question; I shall require notice.

Shri Mohan Lal Saksena: May I know if cars were surrendered by other provinces also, besides the C. P.?

The Honourable Sir Edward Benthall: I want notice of that question.

Mr. P. B. Jole: Is the Honourable Member aware that many applications for these cars have been turned down by the C. P. Government?

The Honourable Sir Edward Benthall: No, Sir; I am informed that there was no demand for these particular cars, and that is why that Government surrendered them.

Shri Mohan Lal Saksena: Is it a fact that Government did not want to sell these to other companies beside two specific companies and that is why these cars have not been sold?

The Honourable Sir Edward Benthall: No, Sir.

Shri Mohan Lal Saksena: Will the Honourable Member make inquiries?

The Honourable Sir Edward Benthall: I have made inquiries and these are the reasons I have given. There is another reason, and that is that the paint on these cars was not attractive.

Shri Mohan Lal Saksena: Am I to understand that if there are applications pending from another company there will be no objection to supplying them?

The Honourable Sir Edward Benthall: The difficulty is that these have been surrendered and allotted to some other people.

Shri Sri Prakasa: What was the occasion for this surrender? Did the Central Government wage war against the C. P. Government?

Mr. President: Order, order. Next question.

PERMITS FOR STAGE CARRIAGES FOR PRIVATE USE

243. *Seth Govind Das: (a) Will the Honourable Member for War Transport please state if it is a fact that permits, for stage carriages have been issued under the Defence of India Rules to individuals for private use, neither connected with war works nor in aid of war works?

(b) What is the number of such permits issued since 1944, in the Central Provinces and Berar?

The Honourable Sir Edward Benthall: (a) and (b). Permits are not issued under the Defence of India Rules. If the Honourable Member refers to Ordinance No. XXXI of 1945, that Ordinance, in order to meet the situation created by the war, empowered the statutory authority constituted under the Motor Vehicles Act to issue permits without being bound by the maximum and minimum periods for which they are effective as fixed by the Act. The Central Government have no information as to the number of permits issued under the authority of the Ordinance in any particular Province.

Mr. P. B. Gole: Will the Honourable Member kindly enquire how many applications for renewal of permits by the operators have been turned down by the Provincial Government?

The Honourable Sir Edward Benthall: Yes, Sir.

Seth Govind Das: Will the Honourable Member make further enquiries as to why permits are being given to the new operators and not to the old ones. There is a complaint in the Provinces that these permits have been issued to new operators and not to the old ones. Will the Honourable Member make enquiries from the Central Provinces why old operators were not given any permits?

The Honourable Sir Edward Benthall: Yes, Sir. I will make enquiries.

Shri Mohan Lal Saksena: Is the Honourable Member aware that a circular has been issued by the Provincial Transport Authority saying that in future permits will be granted only to those companies in which the Government and the Railways are interested?

The Honourable Sir Edward Benthall: That question arises on the previous question—No. 241.

Mr. President: Next question.

QUANTITY AND VALUE OF CLOTH QUOTA IN BIHAR

244. *Mr. Madandhari Singh: Will the Honourable Member for Industries and Supplies please state

(a) the quantity and value of the latest quota of cloth allotted to the Province of Bihar;

(b) the basis on which the respective quota was fixed;

(c) whether the Honourable Member is aware of the scarcity of dhoties and saries (popular cloth) in Bihar; and

(d) whether steps have been taken to remove the scarcity?

The Honourable Mr. A. A. Waugh: (a) Bihar's monthly quota of cloth is 35,736,000 yards. The value of this quantity is about 2·03 crores of rupees.

(b) Quotas for all provinces are fixed on the basis of their population and their consumption in pre-war years.

(c) Yes, Sir.

(d) Yes. The Textile Industry (Control of Production) Order, 1945, compels mills to devote 60 per cent. of their capacity to the production of certain types of cloth in popular demand, among which Dhoties and Saries are included.

Mr. Muhammad Nauman: May I know what was the consumption of Bihar in pre-war days and how it has been calculated?

The Honourable Mr. A. A. Waugh: I must ask for notice of that question.

Mr. Muhammad Nauman: You have just said in reply to part (b) of the question that the basis of calculation was the consumption of that province in the pre-war days. How did you make this calculation?

The Honourable Mr. A. A. Waugh: I shall give the information asked for by the Honourable Member after making enquiries. I cannot say off-hand how the actual calculation was made.

Srejut Rohini Kumar Choudhuri: In fixing the quota is any consideration given to the provinces which have no textile mills?

The Honourable Mr. A. A. Waugh: Yes, Sir. Consideration is given to the present population of the province, on the basis of its pre-war consumption.

Babu Ram Narayan Singh: Is it not a fact that Bihar has not been getting her full quota for the past two or three years?

The Honourable Mr. A. A. Waugh: I am not aware of it.

Babu Ram Narayan Singh: Will the Honourable Member enquire into the matter?

The Honourable Mr. A. A. Waugh: Certainly, Sir.

Sri M. Ananthasayanam Ayyangar: May I know whether in calculating the consumption of goods in pre-war years, only that cloth which was manufactured in the Mills in India is included, or does it also include those quantities which were imported either from Japan or from Lancashire?

The Honourable Mr. A. A. Waugh: So far as I am aware, it includes the total consumption and not just the consumption of cloth made in India.

Khan Abdul Ghani Khan: What is the percentage of reduction on the average for the whole of India? The supply of cloth per head was reduced according to the scarcity of the supplies available for civilian consumption. Will the Honourable Member tell me what was the percentage of reduction for each province or for the whole of India?

The Honourable Mr. A. A. Waugh: I cannot give that information off-hand. I was only asked about the quantity and value of cloth for Bihar.

Mr. Muhammad Nauman: Has the Government got a complete record of all this?

The Honourable Mr. A. A. Waugh: Sir, I want notice of this question.

Sri M. Ananthasayanam Ayyangar: May I know, Sir, whether in fixing a quota for the various provinces, the production of cloth by handlooms was also taken into consideration?

The Honourable Mr. A. A. Waugh: I believe it was.

Babu Ram Narayan Singh: May I know whether in fixing a quota for various districts in the province, the Provincial Governments are independent or do they fix the quota in consultation with the representatives of the Government of India?

The Honourable Mr. A. A. Waugh: No, Sir. The internal distribution is a matter for the Provincial Government.

Khan Abdul Ghani Khan: How does the Honourable Member fix the quota for a province if he does not know how much he has to cut?

Mr. President: The Honourable Member wanted to have notice of that question. Next question.

QUANTITY AND VALUE OF KEROSENE OIL QUOTA IN BIHAR

245. *Mr. Madandhari Singh: Will the Honourable Member for Industries and Supplies please state:

(a) the quantity and value of the latest quota of kerosene oil allotted to the Province of Bihar;

(b) the basis on which the quota was fixed;

(c) whether the Honourable Member is aware of the acute scarcity of kerosene oil in the rural areas of the Province of Bihar;

(d) the reason why quota of kerosene oil has been reduced in the month of January; and

(e) whether Government propose to take steps to remove the scarcity in the near future?

The Honourable Mr. A. A. Waugh: (a) and (b). Kerosene quotas are not fixed on a Provincial/State basis as the Oil Companies' distribution arrangements are based on rail-heads and their districts are not co-terminus with provincial boundaries. Information regarding the exact quantity and value of Bihar's quota is, therefore, not readily available, but can be furnished in due course if the Honourable Member desires.

For the purposes of easy reckoning, the releases to the various supply areas of the Oil Companies are expressed in terms of percentage of their consumption in 1941. Current releases to all the supply areas in the country are at the level of 65 per cent. of their 1941 off-take.

(c) The Government of India have no information. Internal distribution is the responsibility of the Provincial Government.

(d) and (e). Releases of Kerosene had to be reduced in January in order to conserve up-country stocks against the likely shortage due to the recent strike and unrest among the Oil Companies' labour. Since then, it has not only been restored but increased from 60 per cent. of 1941 consumption (the level of releases prevailing in December in the supply area in which Bihar is situated) to 65 per cent of 1941 consumption from February 1946 onwards.

Mr. Muhammad Nauman: May I know whether the Government has got any figures to show what was the oil consumption of that province before the war, and how does it compare with the present quota?

The Honourable Mr. A. A. Waugh: I will make enquiries about that.

Prof. N. G. Ranga: Will the Honourable Member consider the desirability of doing away with the existing discrimination as between the rural areas and urban areas in the distribution of kerosene oil?

The Honourable Mr. A. A. Waugh: That is a matter for the Provincial Government

Sreejut Rohini Kumar Choudhuri: May I know if any special quota is given to the students during their examination time?

The Honourable Mr. A. A. Waugh: I am not aware of that. It is for the Provincial Government to consider.

Prof. N. G. Ranga: May I know who decides to give greater quota of kerosene to towns where there is already electric lighting than what is being given to rural areas? Is that also for the Provincial Government to consider?

The Honourable Mr. A. A. Waugh: That is a matter of internal distribution.

Prof. N. G. Ranga: Where will the Central Government come in in regard to this grievance which is felt by the rural areas? Has the Central Government no responsibility at all for seeing that people in the rural areas do get sufficient quantities of kerosene oil?

The Honourable Mr. A. A. Waugh: I am not aware that the rural areas do not get an adequate share of what is available for distribution.

Prof. N. G. Ranga: It is on the basis of that information that I have put his question. Will the Honourable Member at least be good enough to communicate the question and his answers to this question as well as the supplementaries to the different Provincial Governments and bring it to their notice the discontentment felt by the rural areas that they are not being dealt with properly?

The Honourable Mr. A. A. Waugh: I am prepared to send the question and answers to the Provincial Governments.

DETENTION OF AFGHAN PRINCES IN INDIA

246. *Shri Sri Prakasa: Will the Foreign Secretary be pleased to state:

(a) if any Afghan princes are being detained in India; if so, the names of these;

(b) the reasons, if any, for such detention; and

(c) the expenditure that is being incurred on them, and the allowances that are being paid to their families?

Mr. H. Weightman: (a) There are 10 persons detained in jail in India who are connected in varying degrees of remoteness with previous dynasties in Afghanistan. Their names are as follows:

(1) Sardar Ghulam Ahmad, s/o Sardar Ali Ahmad Jan,

(2) Sardar Fazal Ahmad, s/o Sardar Ali Ahmad Jan,

(3) Sardar Ali Mohammad, s/o Sardar Ali Ahmad Jan,

(4) Sardar Fakir Ahmad, s/o Sardar Ali Ahmad Jan,

(5) Musammat Shah Bano, wife of Sardar Ali Ahmad Jan,

(6) Musammat Shah Gul, wife of Sardar Ghulam Ahmad,

(7) Musammat Mah Gul, wife of Sardar Ghulam Ahmad,

(8) Musammat Mah Gul, wife of Sardar Ali Mohammad,

(9) Sardar Abdulla Jan, son of Sardar Mohd. Ishaq Khan, and

(10) Sardar Mohd. Hasan Khan, s/o Sadrar Mohd. Ishaq Khan.

(b) The first 4 and the last 2 in this list are detained for reasons of State connected with External Affairs. The 4 ladies are the dependents of Nos. 1 to 4 and accompany them by their own wish.

(c) Nos. 1 to 8 receive allowances totalling Rs. 11,160 per annum. In addition Government expends some Rs. 4,000 per annum on the education of the children of Sardars Ghulam Ahmad and Ali Mohammad. Nos. 9 and 10 have only recently been placed under detention and the question of the allowances to be granted to them or their families has yet to be decided.

Maintenance costs for all amount to roughly Rs. 3,650 per annum.

Prof. N. G. Ranga: When were these gentlemen arrested and where? Was it in India or was it in Afghanistan?

Mr. H. Weightman: The first four on the list surrendered in India. The ladies came to join them later. The last two were again arrested in India.

Shri Sri Prakasa: Are they being detained for any offence committed in India or in their own country?

Mr. H. Weightman: The position is that these people have been implicated in efforts to subvert the Government of a neighbouring friendly country from bases in India.

Shri Sri Prakasa: Does not international law lay it down that political offenders cannot be interned in a country in this manner, and if these gentlemen and ladies have been committing political offences in another country, may I know how the Government of India regards it its right to intern them in India?

Mr. H. Weightman: The offences were committed in India. As I tried to explain they attempted to subvert the Government of a neighbouring friendly country, operating from bases in India.

Mr. M. Asaf Ali: I am anxious to find out from the Honourable the External Affairs Secretary, how long these people are to be detained: is there a limit to their detention or none: and also while they are in detention will their allowances remain where they are, or will they be raised in consonance with their position and status?

Mr. H. Weightman: There were two questions.

Mr. M. Asaf Ali: I am sorry.

Mr. H. Weightman: One was about the length of time: no time has been fixed. No. 2 was . . . . . .

Mr. President: About allowances—whether they will remain at the same figure or be revised?

Mr. H. Weightman: About allowances, I do not think there will be any question of revision of education allowances until the time comes when they are no longer required.

(*b*) WRITTEN ANSWERS

NUMBER OF SIKH SUPERINTENDENTS, ASSISTANTS AND CLERKS IN CERTAIN OFFICES

247. *Sardar Mangal Singh: (a) Will the Honourable Member for Industries and Supplies please state separately the number of Sikhs employed as Superintendents, Assistants and Clerks in the Office of the Chief Controller of Purchase (Supply), Main Secretariat, Director General Supply, Director General (Disposals) and Chief Registration Office?

(b) What is the number of Sikhs intended to be retained in the above cadres in the above mentioned offices?

(c) Will he please assure that the number of Sikhs retained in each category will not fall short of their communal proportion?

The Honourable Mr. A. A. Waugh: (a) A statement is placed on the table.

(b) The information required cannot be furnished at present, as the strength of the new offices of the Directorate General, Industries and Supplies, (in which the Directorate General of Supply and the Chief Controller of Purchase (Supply) have been merged) and of the Directorate General, Disposals, has not been finally determined.

(c) Every effort will be made to ensure adequate representation of Sikhs in these posts.

Statement

Organization	No. of Sikhs employed as		
	Superintendents	Assistants	Clerks
Directorate General of Industries and Supplies .	2	30	19
Main Secretariat	1	13	9
Directorate General of Disposals . . .	...	6	7
Office of the Chief Registration Officer . .	1	1	...

INDIANS AS HEADS OF DEPARTMENTS IN RAILWAY ADMINISTRATIONS

248. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable the Railway Member be pleased to state if he has appointed any Indian as General Manager or Chief Officer for the Commercial or Traffic Departments in any of the Railway administrations during the last year, since the Railway Administrations have been taken over by the State? If so, what is the name of the Railway, the post, and the name of the officer?

(b) Has any programme for Indianising the heads of Departments in the several Railway Administrations and the Railway Board been undertaken by him?

(c) With reference to his budget speech last year that Railways are 99¾ per cent. Indian-operated, what does the other ¼ per cent. consists of, the denomination of the officers, the number in the several denominations and the salaries they are drawing?

(d) What steps, if any, have been taken to Indianise the remaining ¼ per cent?

(e) If no steps have been taken, why not?

The Honourable Sir Edward Benthall: (a) I am not quite clear as to the particular Railways to which the Honourable Member refers. If he is seeking information in respect of the M. & S. M., the S. I. and the B. N. Railways, which have been taken over by the State recently, one Indian officer has been appointed as Transportation Manager of the B. N. Railway in 1945.

(b) Administrative posts like those of Heads of Departments are filled by the promotion of officers on considerations of merit. More Indians will fill such posts when those recruited under Government's policy of Indianisation, which has been in force for over ten years, become eligible, by service and experience, for selection.

(c) Europeans comprise the quarter per cent. referred to. As regards the remaining portion of this part of the question, it is not clear what the Honourable Member means by "denomination". If he is referring to grades of staff; so far as gazetted officers are concerned, all available information will be found in the latest edition of the Classified List of Officers on Railways, a copy of which is available in the Library of the House. As regards other staff, I regret I cannot undertake to collect the information as it would involve an expenditure of time and labour incommensurate with the results.

(d) and (e). No steps have been taken as normal wastage among senior officers coupled with present policy is resulting in a rapid Indianisation of the Railway services

NUMBER OF HIGH SALARIED INDIANS AND EUROPEANS IN ADDITIONAL DEPARTMENTS OF RAILWAYS

249. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable the Railway Member please state whether any additional departments have been opened in any of the Railways or in the Railway Board as a wartime measure, or otherwise since 1939?

(b) What is the number of additional hands employed during this period classified as Indians and Europeans drawing salaries of Rs. 2,000 and above of Rs. 1,500 and above, of Rs. 1,000 and above, and of Rs 500 and above?

(c) How many of them have been appointed temporarily and how many permanently?

(d) Are any of these posts reserved for ex-service military men, European and Indian and what is the proportion if any, of Europeans to Indians?

(e) Now that the war is over have Government started any investigation as to what extent retrenchment could be effected in (i) the personnel (ii) all Departments and offices, (iii) salaries and (iv) allowances, and economy observed in the use of fuel and other materials? If not, do Government propose to appoint a committee for the investigation of retrenchment and economy in the affairs of all the Railway Administrations?

The Honourable Sir Edward Benthall: (a) Yes.

(b) and (c). Information is being collected and will be laid on the table of the House in due course.

(d) It has been decided to reserve, for war-service personnel, 70 per cent. of the permanent vacancies filled in a temporary capacity during the period from 1st June, 1942, to 31st December, 1945. The majority of the additional posts referred to in part (b) of the question, however, were or are on a temporary basis and they are not affected by this reservation. As far as permanent gazetted posts are concerned, the regulations permit of 25 per cent. of

the vacancies being filled by the recruitment of those of non-Asiatic domicile. No Europeans have however been recruited to these posts for some years and none is likely to be recruited under present conditions.

(e) No special investigation has been started but the position in respect of the matters mentioned is being constantly reviewed by the railway administrations and the Railway Board. In regard to fuel economy, the Honourable Member is referred to the paragraph on this subject in Chapter VI of the latest Administration Report, Volume I. Government do not consider the appointment of a special Committee called for at present.

Coal Situation on Railways

250. *Sri M. Ananthasayanam Ayyangar: Will the Honourable the Railway Member be pleased to state if he has considered the coal situation of Railways and made any proposals to Government for the purchase of any collieries with a view to making Railways self-sufficient in coal? If not, do Government propose to consider the advisability of obtaining some more collieries to work departmentally?

The Honourable Sir Edward Benthall: The coal situation on railways is under constant day-to-day scrutiny.

The Railway Department has, at the moment, no proposals for the purchase of additional coal bearing areas. Any such decision might be dependent on the report of the Indian Coalfields Committee which Government have recently set up to report on the problems of Indian coal resources and demands

Investigations by Mr. Sankara Iyer *re* Assets of Railways

251. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable the Railway Member please state if Mr. Sankara Iyer has completed his investigation into the lines of the assets of the several Railways and has prepared a list of the assets and submitted a report thereon? If not, why not?

(b) Have Government taken any other steps to get the assets valued on a scientific basis and to take a list of such assets? If so, what are those steps, and when are they expected to be complete?

The Honourable Sir Edward Benthall: (a) The Committee of which Mr. Sankara Iyer was the Chairman, had to be wound up owing to the fact that Railway Administrations found themselves unable to spare, in war-time conditions, the staff necessary to compile and examine the large mass of statistical data pertaining to the Inquiry.

The Committee submitted a report which contained recommendations as to the manner of marshalling and examining the requisite data.

(b) The question is not fully understood, but I presume that the Honourable Member wishes to know if any steps have been taken to resume the investigations which were entrusted to the Sankara Iyer Committee. The problem has been taken up again by the officers of the Railway Board and a considerable amount of data has already been collected and is now under examination. Whether the results of this investigation will be placed before any other expert body or bodies will be decided in due course. Government hope to formulate their conclusions before the Railway Budget for 1947-48 is presented to the House.

Retrenchment of Labour Hands on Railways and Manufacture of Sleepers, Rails, etc

252. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable the Railway Member please state whether there is a proposal to retrench labour hands employed in Railways or Railway Workshops? If so, how many in all and separately from each Railway Administration?

(b) Out of these, how many Railway Workshop men and other Railway coolies can be absorbed in other productive Departments of Railway work?

(c) Are Railways manufacturing in India all the sleepers, rails and other accessories necessary? If not, have Government considered the advisability of opening such factories and absorbing the released workmen?

The Honourable Sir Edward Benthall: (a) and (b). Temporary employees who cannot be absorbed in railway employment are being and will have to be discharged but as explained in a broadcast talk by the Chief Commissioner of Railways on 22nd December, 1945, a copy of which I lay on the table of the House, all possible steps are being taken to reduce this number to a minimum by the absorption of surplus staff in other railway employment. As the full effect of the measures which it is expected will absorb a large proportion of the surplus staff cannot be accurately gauged at this stage, it is not possible to frame a reliable estimate of the total number of persons who will either be absorbed or discharged.

(c) All rails, fittings and metal sleepers required by railways are already being manufactured in India, though not by the railways. As regards the latter portion, it is unlikely that labour being discharged from railways can be employed for this purpose and even if it could, it would only produce unemployment elsewhere.

WITH THE COMPLIMENTS OF ALL-INDIA RADIO

No. F. 64/1/45-DPS.

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FUTURE OF TEMPORARY RAILWAYMEN

Following is the full text of a broadcast talk by Sir Arthur Griffin, C. C. of Railways on the future of Railway personnel employed temporarily, delivered at the All India Radio, Delhi Station at 8-40 P.M. on Saturday, December 22, 1945.

I am speaking to you tonight on the vexed question of retrenchment of labour on the Indian Railways.

This matter has exercised the minds of many. The temporary Railwaymen themselves are naturally apprehensive lest they lose their jobs; there are many not employed on the Railways who naturally and quite rightly recognise the excellent work done by the Railways during the critical days of the war and who hope that in return the railwaymen will have a square deal, and there are very many more who recognise that trouble between the railwaymen and the Railway administrations would have a very damaging effect on the general economic life of the country and retard the progress towards rehabilitation and development for which we are all striving. It is my purpose to try and put the problem into proper perspective and to allay the fears I have mentioned.

Much publicity has been given to a figure of 250,000 men stated to be surplus and it has been alleged either that the Railway Board intend to retrench this number or this number is likely to be retrenched. I can deny outright that any such decision has ever been taken, nor have the Railway Board ever held the view that discharges on anything approaching such a scale would even ultimately prove necessary. But despite contradiction the fears of railwaymen have been and still are being raised by statements that this large number is liable to be retrenched—that is discharged.

This figure of 250,000 represents the total of employees on the Railways who are temporary and includes, therefore, those holding permanent post in a temporary capacity about which I shall speak in a moment We must first understand why this large increase has occurred. All are aware of India's all out effort during the last six years which caused an enormous expansion in industrial activity which, with the military demands, imposed an unheard of load on the railway systems. Additional staff had to be employed to deal with these demands. The number of temporary employees was also increased by the fact that since 1942 permanent vacancies have been filled in a temporary capacity, in view of the undertaking by Government that 70 per cent. of such permanent vacancies occurring up to the end of this month will be reserved for ex-servicemen.

The balance of 30 per cent. of such employees serving up to now in a temporary capacity are in process of being confirmed in accordance with a procedure which is equitable to all. Those who are left as temporary, and the total is estimated at 70,000, though liable to be displaced by ex-servicemen will eventually, it is hoped, be absorbed in later vacancies or elsewhere. The important point is that complete demobilisation is a relatively slow process and in addition many such ex-servicemen will have to be trained. Therefore, the process of displacement of such temporary staff will be correspondingly slow, and during the whole time there are considerable possibilities of absorption since, for one thing, such trained temporary staff will be given preferential treatment in filling permanent vacancies occurring after the end of this year.

But what about the purely temporary employees. As I have said, the load on railways increased enormously, and that load *still* continues. The process of industrial expansion will still go on, and in replacement of a falling military demand there will arise the civil demand which up to now has had to take second place. The picture dos not end there, however, All railways are faced with arrears of maintenance as all their resources have had to be used to the maximum extent and maintenance has had to be restricted to essentials only. For the workshops alone, where so many temporary men are employed, I estimate that this deferred work will keep them fully busy for a very long time to come. The possibilities of absorption of temporary staff are further increased by the programmes of development and rehabilitation which all Railways have in front of them, or indeed which in some cases are already being tackled. Railways in the past were busy developing services in areas already served by railways. The future programme envisages plans for breaking into the hinterland and assisting in developing the natural resources in areas that have remained undeveloped through lack of suitable transport. All these factors will involve in some fashion or other the employment of staff and labour of various categories, and, as I see it, the majority of those now in temporary employ can confidently look forward to continued employment provided the future, always unpredictable, does not interfere with our present plans. If they are trained men, the Railways, will, I feel, have need for their services. But in some cases, employment different from that which they are now performing, or in some different locality, may have to be offered, and then it will be up to the individual to accept or not. Whilst, therefore, the Railway Board could obviously not give the categorical assurance asked of them by the representatives of the railwaymen that no man employed in any capacity, temporary or otherwise and irrespective of length of service, would be discharged, they are confident, from present indications and assuming that nothing supervenes to hinder the rapid implementation of the extensive plans for the post-war development of India, that the work of Railways for some long time to come will entail the employment of numbers not far different from those now serving. Up to date, as has already been made public, no more than about 8,000 workers, that is less than one per cent. of the total, are likely to be discharged by the end of this year, and of these, be it noted, the majority are men who were engaged *not* on railway work, but on war work for other Departments, for which the Railways were only acting as agents. I hope I have been able to make clear the position in respect of this very important matter and that apprehensions in the minds of many many be allayed.

Goodnight.

INDIA'S REPRESENTATIVES ON THE UNITED NATIONS ORGANIZATIONS

253. *Shri Mohan Lal Saksena: (a) Will the Foreign Secretary be pleased to state how the representatives of India on the United Nations Organization were nominated?

(b) Who gives directions to the representatives regarding the attitude to be taken by them on various questions?

(c) What has been the total cost of the Indian Delegation up till now, and is it borne by the Indian Exchequer?

(d) What is the annual contribution which India has to pay to the United Nations Organization.

Mr. H. Weightman: (a) The representatives were nominated by the Government of India.

(b) The Government of India.

(c) The expenses of the Indian delegates are borne by the Indian Exchequer The expenditure incurred on the Indian Delegation up to 1st February is approximately Rs. 35,000.

(d) The annual contributions of the members of the United Nations have not yet been fixed, but will probably be decided in the second part of the First Session of the General Assembly later on this year.

SUPPLEMENTARY GRANT TO RAILWAYS

254. *Shri Mohan Lal Saksena: Will the Honourable Member for War Transport be pleased to state how the supplementary grant of Rupees 82 lacs to Railway under the Head Miscellaneous for 1945-46 has been spent?

The Honourable Sir Edward Benthall: This amount was allocated for expenditure on certain existing relief services and for others which it was intended to inaugurate. Owing to the changed conditions brought about by the early termination of the war these additional relief services were not found necessary.

2. The expenditure for the current year is estimated to be approximately only 23 lakhs.

REPRESENTATION FROM POSTAL AND TELEGRAPH EMPLOYEES *re* SCALES OF PAY AND DEARNESS ALLOWANCE

255. *Shri Mohan Lal Saksena: Will the Secretary for Posts and Air be pleased to state whether he has received any representation from the postal and telegraph employees regarding the new scales of pay and the increase in the dearness allowance? If so, what action, if any, has been taken on it?

Sir Gurunath Bewoor: I would invite the attention of the Honourable Member to the reply to question No. 237 by Pandit S. K. D. Paliwal.

SHORT-SUPPLY OF RAILWAY TIME TABLES

256. *Shri Mohan Lal Saksena: (a) Is the Honourable the Railway Member aware of the difficulties which the public is experiencing in the matter of short supply of Railway Time-tables?

(b) Will he see that they are published in a larger number?

The Honourable Sir Edward Benthall: (a) Government has received no complaints in respect of inadequate supply of time-tables but is aware that, owing to short supply of paper and the need for economy, there has been a curtailment in the number made available for sale to the public.

(b) I am arranging for instructions to issue to Railways to augment the future issue of time-tables as an increased supply of paper becomes available.

UNSTARRED QUESTION AND ANSWER

NEWS PRINT QUOTA

35. Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable Member for Industries and Supplies please lay on the table a statement showing:

(i) the newsprint quota given to papers newly started after 1942,

(ii) the newsprint quota given to newspapers that suspended publication in 1942, but reappeared subsequently; and

(iii) the names of newspapers to whom newsprint quota was refused?

(b) Are Government aware that newsprint quota was refused to the *Rajasthan Kesari* of Ahmedabad which suspended publication in 1942? If so, will Government state the reasons for such refusal and will Government now see that it is given the required quota?

The Honourable Mr. A. A. Waugh: (a) Two statements showing:

(i) the names of newspapers which have been permitted to start publication after 1942 under the Newspaper Control Order and the amount of newsprint quotas allotted to them; and

(ii) the names of newspapers which suspended publication in 1942 but have been permitted to re-start publication under the Newspaper Control Order together with the amount of newsprint quotas allotted to them;

are placed on the table of the House.

(iii) The collection of the information asked for would involve an outlay of time and labour which Government do not consider justified in present conditions.

(b) The *Rajasthan Kesari* of Ahmedabad was refused permission to revise publication on account of the newsprint supply position. The position has further deteriorated and does not admit of grant of quotas for new journals or for revival of journals. The matter can be reconsidered if and when the newsprint supply position shows substantial improvement.

Statement I

A.—Giving the names of newspapers which have been permitted to start publication under the Newspaper Control Order together with the amount of newsprint quota allotted in each case (upto 30th Jan. 1946).

S. No.	Name of newspapers	Place of publication	Language	Monthly ration of newsprint allotted
1	2	3	4	5
	Assam			T. C. Q. Lbs.
1	Achikna Uiani monthly	Tura (Assam)		(Shifted to paper).
2	Shillong Times	Shillong	...	0 4 1 4
3	Young Assam	Sylhet	...	0 1 0 16
4	Taroon Assam	Debrugarh	...	0 5 0 0
			Total	0 10 1 20
	Bengal			
1	Morning News daily	Calcutta	English	5 00 0 0
2	Nationalist daily & Hindustan weekly	Calcutta	English	14 16 1 0
3	Natun Jeeban monthly	Calcutta	Bengali	0 4 0 0
4	Indo-Soviet-Journal fortnightly	Calcutta	English	0 3 0 0
5	Prathunodh daily	Calcutta	Bengali	0 12 2 1
6	People's Voice daily	Calcutta	English	Ceased publication.
7	China Review daily	Calcutta	Chinese	0 14 2 0
8	Saturday Mail weekly	Calcutta	English	0 4 1 0
9	Jagran weekly	Calcutta	Bengali	0 1 1 18
10	Quarterly of Sino Indian Studies	Calcutta	English	0 0 3 6
11	Indian Capital weekly	Calcutta	English	0 3 0 0
12	Dacca-Mail daily and Usha daily	Calcutta	English Bengali	1 10 0 0 1 10 0 0
13	Millat weekly	Calcutta	Urdu	0 15 0 0
14	Eastern Express	Calcutta	English	8 0 0 0
15	Chinese Government Gazette fortnightly and Chun Wah Youth Pictorial (Paper Branch)	Calcutta	...	0 4 1 4
16	Bharat daily	Calcutta	...	4 4 0 0
17	Swadhinata daily	Calcutta	...	3 10 0 0
18	Al-Hilal daily	Calcutta	...	3 0 0 0
			Total	44 13 0 1
	Bihar			
1	Parijat, monthly	Bankipur	...	0 1 2 0
2	New Life	Bankipur	...	0 4 0 0
			Total	0 5 2 0
	Bombay			
1	Muslim Times daily and Muslim Times weekly	Bombay	Gujerati	1 10 0 0 0 7 2 0
2	Mr. Chikadi's weekly newspaper	Belgaum	Kannada	0 1 2 0
3	Commercial India weekly	Bombay	English	0 9 0 0
4	Janata weekly	Bombay	Hindi	0 6 0 0
5	R. C. A. Bulletin of the Photophonic Equipments Ltd. fortnightly	Bombay	English	0 1 1
6	Bulletin of the Piecegoods and Yarn Merchants' Association of India	Bombay	...	0 0 1 23
7	Prabudha Vishaya	Bombay	...	0 0 0 27
8	Indian Women's Magazine monthly	Bombay	English	0 2 0 1
9	Belaku	Dharwar	...	0 1 2 1
10	A Monthly bulletin started by Mahratta Chamber of Commerce and Industries	Poona	...	0 0 0 18

1	2	3	4	5 T. C. Q. Lbs.
		Bombay—contd.		
11	Hindu Sanghsthen weekly	Bombay	English	0 15 0 0
12	Weekly newspaper started by M/s Anand Mudranalaya	Ahmedabad.	Gujrati	0 1 2 12
13	A weekly in Concanium	Bombay	...	0 1 1 24
14	Challange weekly	Bombay.	...	0 3 0 0
15	Advance weekly	Bombay	...	0 10 0 0
16	Al-Hafeez monthly	Dhulia	...	0 0 1 12
17	Abhudaya, Allahabad to start Bombay edition	Bombay	...	0 12 3 14
18	Fortnightly All India Radio	Bombay	...	0 1 2 5
19	Dalit Bharat	Asoda	...	0 0 0 24
20	An English daily to be started by Mr. Hooseinbhoy A. Lalljee	Bombay	...	2 0 0 0
21	One Nation weekly	Bombay	...	0 5 0 0
22	Hindi edition of the Federation of Piece-goods and Yarn Merchant Association	Bombay	...	0 0 0 50
			Total	7 10 0 26
		Baluchistan		
1	Baluchistan Samachar	Quetta	...	0 0 3 6
			Total	0 0 3 6
		Central Provinces and Berar		
1	Udyama weekly	Nagpur	Hindi edition	0 4 1 10
2	Wikas weekly	Nagpur	Marathi	0 3 0 0
3	Jai Hind daily	Jubbulpore	...	3 0 0 0
4	'Navyug' Weekly	Nagpur	...	0 7 0 0
			Total	3 14 1 10
		Delhi		
1	Naya Hindustan daily	Delhi	Hindi	1 10 0 15
2	Investment and Finance weekly	Delhi	English	0 2 0 1
3	Bi-monthly supplement of the Eastern Economist	New Delhi	English	0 0 3 12
4	Indian Overseas	New Delhi	English	0 0 3 15
5	Aditi quarterly	New Delhi	...	0 0 2 19
6	Two weeklies by Dr. Syed Abdul Latif, Bangi Dara and Charion	Delhi	Urdu and English	1 2 2 0
7	Registered Accountant monthly	Delhi	English	0 0 3 12
8	Rural People weekly	New Delhi	English	0 5 2 6
9	Bharat weekly	Delhi	...	0 2 1 17
10	Anwar-e-Sahar	Delhi	Urdu	0 1 1 20
11	Millat daily	Delhi	Urdu	0 8 0 0
			Total	3 15 1 7
		Madras		
1	Powra Shakti daily	Calicut	Malayalam	3 6 1 0
2	Dinasari daily	Madras	Tamil	7 10 0 0
3	Picturepost monthly	Madras	English	0 3 0 15
4	Muslim India, weekly	Madras	English	0 5 2 14
5	Grow More Food bulletin fortnightly	Madras	English, Telugu and Tamil.	0 1 0 14
6	Tiruppur Cotton Market bulletin, monthly	Tiruppur	...	0 0 0 27
7	Justicite weekly	Erode	English	0 2 1 0
8	Indian Journalist	Madras	English	0 5 0 3
9	Tudu Oolagam weekly	Madras	...	0 3 0 24
10	Janmabhumi	Bezwada	...	3 0 0 0
11	Morning Star daily	Madras	English	5 5 0 0

1	2	3	4	5
		Madras—contd.		T. C. Q. Lbs.
12	An English daily started by Hon'ble Thirumala Rao	Bezwada	English	5 5 0 0
13	Registered Accountant's monthly	Madras	English	0 0 0 15
14	Bala monthly	Madras	Malaya	0 4 0 2
15	South Indian Journal of Economics quarterly	Guntur	English	0 0 3 6
16	A Telugu weekly journal by N. V. Seshiah	Madras	...	0 5 1 12
17	Anglo Telugu weekly Rayalseema	Madras	...	0 1 2 10
18	A Tamil daily to be started by K. T. M. Ebrahim	Madras	...	1 12 0 0
19	Jai Bheim weekly in English from Madras and in Telugu from Ramchanderpura	Madras and Ramchanderpura	...	0 1 0 20
20	Church Messenger	Cuddalore	...	0 0 0 11
21	Pasban daily	Bangalore	...	0 8 0 0
22	Postman Herald.	Madras	...	0 0 0 20
23	Hindustan weekly	Madras	Urdu	0 6 1 20
			Total	28 9 2 17
		N. W. F. P.		
1	Dusra Sarhad	Bannu	...	0 1 2 15
2	One Nation daily	Dera Ismail Khan	English	2 0 0 0
3	Chingari weekly	Peshawar	...	0 0 1 4
4	Kurram Magazine of S. D. College, Bannu	Bannu	...	0 0 0 18
5	National Industry and Finance monthly	Peshawar	...	0 3 1 20
			Total	2 5 2 1
		Orissa		
1	Nation	Cuttack	English	0 15 0 0
			Total	0 15 0 0
		Punjab		
1	Cosmopolitan weekly	Simla	English	0 3 1 14
2	Monthly News	Simla	English	0 0 1 4
3	Sant Sepahi	Amritsar	...	0 3 2 8
4	Quarterly Commercial Bulletin	Qadian	...	0 0 1 12
5	An Urdu daily to be started by Ahrar Party	Lahore	...	0 5 0 0
			Total	0 12 2 10
		Sind		
1	Sind Times weekly	Karachi	...	0 12 2 8
			Total	0 12 2 8
		United Provinces		
1	Savdhan weekly	Cawnpore	Hindi	0 7 2 24
2	Bharat Varash, daily	Cawnpore	English	0 10 0 0
3	Singh weekly	Cawnpore	Punjabi & English	0 0 2 15
4	A monthly Journal by Hindustan Cultural Society	Allahabad	...	0 2 1 12
5	Laher monthly	Allahabad	...	0 1 0 0

1	2	3	4	5 T. C. Q. Lbs.
	United Provinces—contd.			
6	Sanmarg daily	Benares	Hindi	2 0 0 0
7	Tarjuman fortnightly	Lucknow	Urdu	0 0 1 14
8	Tiagi monthly	Meerut.	...	0 0 0 21
9	Garhwal Samachar fortnightly	Garhwal	Hindi	0 0 3 6
10	Yugvani	Ettah	...	0 0 1 20
11	Tanvir Daily	Lucknow	...	2 0 0 0
12	Quami Awaz daily	Lucknow	...	4 0 0 0
13	Al-Amin	Meerut.	...	0 8 0 0
			Total	9 11 2 0
			Grand Total	102 16 1 22

B.—Giving the names of newspapers which have been permitted to be issued at more frequent intervals or which have been allowed to start new editions from other places under the Newspaper Control order.

Serial No. 1	Name of newspaper 2	Place of publication 3	Language 4	Ration of Newsprint allotted per month 5 T. C. Qr. Lbs.
	Assam			
1	Assamiya Gauhati	Assam	...	1 10 0 0
	Bengal			
1	Indian Economist	Calcutta	...	0 3 0 0
	Bihar			
1	Patna Times daily	Patna	English	0 18 0 0
	Bombay			
1	Kesari	Poona	...	No increase in ration.
	Central Provinces and Berar			
1	Tarun Bharat daily	Nagpur	Marathi	2 0 0 0
2	Maharastra daily	Nagpur	...	2 4 2 0
	Delhi			
1	Hurriyat daily	Delhi	Urdu	0 17 2 15
2	Mansboor daily	Delhi	Urdu	3 4 0 0
	Madras			
1	Prajashakti	Bezwada	...	2 11 1 0
2	Chandrika	Telecherry	...	1 18 0 0
3	Deshabhimani	Calcut	...	3 0 0 0
	Punjab			
1	Ajeet daily	Lahore	Urdu	4 10 0 0
2	Nawai Waqt.	Lahore	Urdu	1 16 0 0
	Sind			
1	Sindhi, Sukkur	Sukkur	...	0 5 0 0
	United Provinces			
1	Jiddat daily	Moradabad	Urdu	0 11 1 0
2	Amrita Bazar Patrika*	Allahabad edition	English	5 0 0 0
3	Telegraph* (Calcutta)	Cawnpore edition	English	11 2 14
			Grand total	31 0 1 1

*Permitted to start new editions from other places.

STATEMENT II

Newspapers which suspended publication in 1942 but have been permitted to restart publication, under the Newspaper control Order

Serial No.	Name of newspaper	Monthly ration of newsprint allotted T. C. Qr. lbs.
	Ajmer-Merwara	
1	Nawajyoti	0 1 1 0
	Assam	
2	Surma	0 0 2 16
3	Tarun Assam	0 5 0 0
	Bengal	
4	Bhandar	0 3 3 0
5	Bharat	4 4 0 0
6	Forward	0 10 2 0
7	Gul Bagicha	0 0 3 6
	Bihar	
8	Rashtravani	2 12 0 0
	Bombay	
9	Al-Islah	0 8 2 0
10	Awaz	0 12 0 0
11	Bharat	0 0 3 0
12	Gaokari	0 2 1 9
13	Lokshakti	3 13 2 0
14	Samarath	0 1 0 14
15	Yoog Chitra	0 3 1 10
16	Agrani	1 0 0 0
17	Arya Bhanu	0 0 2 19
18	Bharat Samachar (daily)	7 3 1 0
19	Mathrubhumi (daily)	6 17 3 0
20	Mathrubhumi (weekly)	1 5 1 0
21	Morning Standard	9 13 2 0
	C. P. & Berar	
22	Nav Jeevan	0 5 0 0
	Madras	
23	Andhra Jyoti	0 2 0 16
24	Navajeevan	0 0 0 21
25	Sudha Dharma (Quarterly)	0 0 1 2
26	Chandrodayam	0 14 2 14
27	Village Oozan	0 2 0 27
	N. W. F. P.	
28	Sher-i-Sarhad	0 0 1 10
	Punjab	
29	Rangarhia Educational Magazine	0 2 2 15
30	Tahm-o-Tarbiat	0 12 3 10
31	Vakil-i-Jadid	0 0 2 16
	Sind	
32	Congress	0 1 0 16
33	Dukhayal	0 0 1 17
34	Hindu	4 10 0 0
35	Hindvasi	0 15 0 0
36	Swarajya	0 4 3 15
	U. P.	
37	Brahman Samachar	0 0 1 1
38	Chamcham	0 0 0 21
39	Daily Sandesh	0 13 0 14
40	Jamnat	0 0 2 0
41	Lal Bujhakar	0 0 1 10
42	National Herald	10 3 2 0
43	Shakti (for election period only) Almora	0 10 0 0
44	Ujala, Agra	1 1 0 15
45	Samik daily & weekly	2 0 0 0
46	Bakar Sakha	0 0 1 10
47	Savdhan weekly	0 0 1 10
48	Daily Vir Bharat, Cawnpore	0 9 1 14
49	Sandhya Jiwan	0 0 3 0
50	Wazedar weekly	0 0 2 15
51	Jain Sandesh, Agra	0 2 2 0
52	Taza Tar, Agra	0 1 1 4
		61 16 2 3

Mr. President: Before I take up the consideration of the adjournmen
12 Noon motions that I have received, I believe there is a small poin about answers to questions which I would like to make clear t the House. There was some misunderstanding also on my part about and I believe as a result thereof there was some injustice done to th Honourable the Home Member.

While answering certain questions yesterday, he stated that these wer questions for another Honourable Member to reply and not for him, and said that the Honourable Member who put in the questions may state th questions again or even without stating them again the answers would b given. The misunderstanding was due to the fact that ordinarily whe questions are addressed to a wrong Member of the Government, the Assembl Office is not authorised to put the correct name of the Government membe in the question. It is for the Department to whose representative th question has been wrongly addressed to inform the Assembly Office as t which Government member the question should have been addressed. If, b the time such communication is sent to the Assembly office the question lis is not printed, the necessary corrections are made before the list of question goes to the Honourable Members. But if the communication comes later o after the questions are printed then the Government Member to whon that question is originally put and in whose name the question first appears i the printed list, merely states that the question has to be replied by so an so. Automatically that question goes in the next list immediately when th turn of that particular Government Member comes before the House.

That is, I am told the practice, and therefore if an answer comes in tha the question is to be replied to by such and such a Department, it does no mean a refusal on the part of the particular Member of Government to reply It means it was wrongly addressed to him by the questioner and that it woul come in another list for the next day on which the Government Member con cerned has to reply. That was the misunderstanding I think with three ques tions—Nos. 188, 189 or some other number The Honourable the Home Membe said they were questions for the External Affairs Member or some other Membe to reply to.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): May we take it that the question that is so transferred would be pu down on the earliest date? After the one for which it was originally notified?

Mr. President: Certainly, it would be put down for the earliest date for th Government Member concerned for which the question list has not already bee printed, provided that—the questioner has not exhausted his quota of fiv starred questions for that day. If he has already exhausted his quota he wil have to give fresh notice of the question.

Shri Sri Prakasa: I will state a case. I sent in questions and they were transferred from the Home Department to the Foreign Department. I sen them for the 12th. One has been put down for today the 13th and another fo the 19th So I wanted to know whether this has been done to suit the conveni ence of the Departments concerned or it is just an accident.

Mr. President: If it is a question of convenience, I should say the conveni ence of all concerned.

Shri M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor Non-Muhammadan Rural): Arising out of this, I gave a short notice questio and the Honourable Member in charge of it was unable to accept it. Is i necessary for me to give longer notice so that it may appear on the paper? If it causes inconvenience with respect to other questions, could it be put o the ordinary sheet for the next day?

Mr. President: It will be for the Honourable Member to say so. But tha matter also may be discussed later outside the House if there is any inconveni ence. I merely mention this matter for the fact that I thought that Honour able Members carried the impression that the Honourable the Home Membe

treated them with scant courtesy when he said that these questions would be answered by another Member. This was the misunderstanding and that is how the situation has arisen.

Mr. M. Asaf Ali (Delhi: General): I was one of those who happened to participate in the little sparring that took place on the occasion. I was under no misconception about the procedure adopted. My main point was that the amount of red-tapism which we generally resort to in this House or in the Secretariat on the other side can be curtailed by a direct approach and a direct method. It should be possible for the Member to whose Department question is addressed to pass it on to the right department and just mention the fact to the Legislative Assembly Department. In which case the question would automatically go down on the right order paper.

Mr. President: That would be raising a different question altogether. All that I wanted to make clear today was that even unintentionally there should not be that kind of feeling that the Honourable the Home Member was guilty of scant courtesy, and as I was mistaken on the situation myself, I thought I should make it clear to the House.

Now we take up the adjournment motions.

MOTIONS FOR ADJOURNMENT

CLOTH FAMINE IN NORTH-WEST FRONTIER PROVINCE

Mr. President: I have received notice for the adjournment of the b of the House from Khan Abdul Ghani Khan, to discuss a definite matter of urgent public importance, namely,

"Cloth famine in North West Frontier Province."

I do not see how this is a definite matter. It appears to be very vague.

Khan Abdul Ghani Khan (North-West Frontier Province: General): I am willing to explain to you that there is a very definite and serious cloth famine in the North West Frontier Province. There has been no noise about it in the newspapers for the simple reason that we have not got a newspaper and we are not a noisy people. We have tried to make this miserable allotment stretch and stretch Special police had to be called in and there is really a very serious scarcity. You know, Sir, that the Industries Member in reply to my short notice question a few days ago said that he had given 18 yards per head to the N.-W. F. P. It sounds very good, it is one of the highest quotas in India but there is just a little catch in it. If the same principle of cloth rationing had been applied to food rationing—I want to say this to make my point clear—no quota has been fixed for minimum requirements either for the province or the people, but merely the consumption before the war was taken into consideration and that was reduced by 40, 50 or 60 per cent. The Honourable Member has refused to say by how much he has reduced it but looking at the scarcity in my area I am sure it cannot be under 50 per cent. Now, Sir, in regard to food rationing, if you had taken the consumption per man . . . . .

Mr. President: I do not want to intervene in the Honourable Member's speech; but I would like to tell him that he should address himself on the question of the admissibility of the motion and not go into the merits.

Khan Abdul Ghani Khan: Sir, there is a definite scarcity and if you admit that there is a scarcity in my province, then it is urgent. The Honourable Member's answer was that there was no scarcity, we were getting 18 yards per head. I am trying to prove that the system of rationing that was applied to the N.-W. F. P. was not correct and therefore it has caused a scarcity. The point is that if you had taken the ration of a poor man before the war and the ration of a rich man who gave ten parties per week and cut the rations of both by ten per cent., you would be starving one man and overfeeding the other. Even before the war we in the N.-W. F. P. were buying the barest minimum,

[Khan Abdul Ghani Khan]

because we could not buy more. That minimum was cut by another 50 per cent. and the result was that we had no cloth to put on, although we are the people who need the most cloth, because we have the coldest climate and the wind is bitterly cold in the winter. We require more cloth than the ordinary person in the United Provinces. You take my own chaddar: it is enough to clothe a villager in C.P.

Mr. President: What has the Honourable Member in charge to say about it?

The Honourable Mr. Waugh (Member for Industries and Supplies): Sir, when the Honourable Member asked me a question a short time ago I was not aware what cut was made as compared with the pre-war consumption in the N.-W. F. P. My Honourable colleague informs me that the cut was negligible, and the deficiencies are due to the natural increase in population.

On the subject of the motion I would like to submit that this cannot be treated as urgent. The N.-W. F. Provincial Government, along with other Provincial Governments, last September unanimously agreed to allocation of cloth for all different provinces, allocating the N.-W. F. P. at the rate of 18 yards per head of the population. They then reported on the 4th October that the situation, though difficult, was improving. They are supposed to send us a quarterly report, but we have heard nothing more at all from that Government up to date, and I submit, Sir, that if the amount of cloth actually being received against the allocation were falling considerably short of the quota, we would most certainly have heard bitter complaints from the Provincial Government. In the absence of more details to show that a very urgent situation has arisen, I cannot myself think that it is urgent, but if my Honourable friend would like to give me any details in his possession, I would certainly go into the matter and take it up with the Textile Commissioner and the Provincial Government.

Mr. President: I do not think I can give my consent to this adjournment motion.

DISBANDMENT OF W.A.C. (I)

Mr. President: The next adjournment motion is by Mr. Frank Anthony to censure the Government for its intention to disband the W.A.C. (I).

Mr. Frank R. Anthony (Nominated Non-Official): Sir, may I explain. I only came to know of this yesterday when the War Secretary made a reply in the House. The matter is urgent as it involves the disbandment of several thousands of people and I understand (I am open to correction) that the Commander-in-Chief made a statement to the effect that a nucleus of this corps was to be retained on a permanent basis. They have resiled from that undertaking.

An Honourable Member: Will the Honourable Member speak up?

Mr. Frank R. Anthony: I understood that the Commander-in-Chief had given an undertaking and an assurance that a nucleus of this corps would be retained on a permanent basis. That is my information. I am open to correction. I want to know why the military authorities have resiled from this undertaking. Because if you are going to disband this corps you are going to create disillusion and bitterness among people who have rendered faithful and loyal war service. I want to know whether any undertaking was given or any statement made?

Mr. P. Mason (Government of India: Nominated Official): Sir, I may be wildly optimistic but I did hope that on this question there was just a faint chance that I might be in agreement, or rather that the House might be in agreement with me, for once. As to the question of the undertaking, I think if my Honourable friend would look at the statement made by the Commander-in-Chief he will find that what the Commander-in-Chief said was that he personally would be inclined to consider the matter favourably. I do not

think he gave a definite assurance. I would welcome, I have no objection whatever to discussing this matter, if the House wishes to, but I do not think it is really technically an urgent matter of public importance, because the announcement was made in the press on the 30th of last month and I have mentioned it not only yesterday but on two previous occasions, once in connection with the adjournment motion by Mr. Ayyangar: but I have no objection to discussing it again in the House.

Mr. Frank R. Anthony: Sir, may I explain. I was not to blame. I was on tour. The first intimation that I received was yesterday. I feel that the position was, that provided the corps is made into an Indian-controlled organisation, they will have no objection to its retention on a permanent basis.

Mr. President: The conclusion is that the Honourable Member does not wish to press his motion?

Mr. Frank R. Anthony: Yes, Sir, I do.

Sir Cowasjee Jehangir (Nominated Non-Official): May I rise to a point of order Sir On the question of urgency one cannot plead ignorance The matter was published in the press I am talking on principle. The matter was published in the papers sometime ago. If an Honourable Member is unfortunate enough not to have read it or if none of his friends had communicated that information to him it cannot be urgent so far as this House is concerned, it may be urgent with regard to that individual member. It was his misfortune not to have read the newspapers and it was his misfortune not to have been informed by his friends but that does not entitle him to come to this House with this motion.

Mr. President: I do not think it is a matter of urgency, and I therefore do not give my consent to it

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RACIAL DISCRIMINATION IN THE W A C. (I

Mr. President: Then there is an adjournment motion in the name of Mr. Ayyangar and Mr Venkatasubba Reddiar relating to

"The racial discrimination shown by the Government of India in the recruitment, treatment, promotion etc of Indians in the W A C (I), resulting in the resignation of many Indian members of the W A C (I)."

I understood from the Honourable Member for Government that this corps is now going to be disbanded, keeping some kind of a nucleus. So the motion seems to be to be more or less of a sort of *post mortem* What is the urgency of the motion now?

Sri M. Ananthasayanam Ayyangar: Sir, it was only yesterday that he said it After all it is very difficult to induce Indian ladies to join any institution started for purposes of war. One after another they were obliged to resign, because junior members were promoted over their heads. Yesterday he said that Miss Ranga Rao resigned on the ground of alleged discrimination.

Mr. President: Order, order I would just invite the Honourable Member's attention to the difficulty I have been feeling and that is that the Honourable Member is trying to bring a motion over something which happened in the long past. Where is the urgency about it?

Sri M. Ananthasayanam Ayyangar: The urgency is there as long as this institution continues: there is always the possibility of racial discrimination being made and the disbanding of it is for the purpose of avoiding a discussion of this racial discrimination. Why should it be disbanded in spite of the assurance that was given, as my friend Mr. Frank Anthony pointed out just now? This is only a device in view of what has happened and what is likely to happen to our nationals so long as the institution is there. No greater insult could be offered to this country than this. We are all smarting under it.

Mr. P. Mason: No. I can only say that I have no objection to the discussion of this question at all. But this motion seems to me to have infinitely less justification for being regarded as urgent than the previous one, because what the Honourable Member would call racial discrimination, and what I call selective promotion, is continuing steadily and will continue until the time when the corps will be disbanded which we hope will be as soon as possible.

Sri M. Ananthasayanam Ayyangar: Are you prepared to have an impartial committee to go into this matter?

Mr. President: I am not inclined to hold this as a matter of urgency.

INDISCRIMINATE ARREST OF MUSLIM LEAGUE WORKERS AND OTHER DEMONSTRATORS AND WANTON USE OF HANDCUFFS AND CHAINS BY DELHI POLICE

Mr. President: Next is the motion of Mr. Nauman to discuss a definite matter of urgent public importance, namely:

"The indiscriminate arrest of large number of Muslim League workers and others in Delhi and wanton use of handcuffs and chains by Delhi Police on 12th February, 1946, in connection with peaceful hartal and protest demonstration staged by the Delhi public against the discriminatory treatment meted out to Capt. Abdur Rashid and the demand for release of I. N. A. personnel."

I am not sure, but I think, I read in the morning papers that some of these people who were arrested were remanded. Was the remand through a magistrate's court? Am I right about this information? I want to know the facts. The point I want to know is whether any legal proceedings have been launched in respect of these men.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa Muhammadan): To the best of my knowledge no legal proceedings have been taken. They have been arrested under the D. I. R. That is my information. They are in the Delhi police station.

Mr. President: I carried the impression of the word 'remand' in some paper. Remand perhaps implies that some kind of charge is framed after people are produced before a magistrate.

Mr. M. Asaf Ali: That information can be supplied by the Honourable Home Member.

Sir Muhammad Yamin Khan (Agra Division Muhammadan Rural): Ordinarily a man is taken before a magistrate and then the charge is framed against him.

The Honourable Sir John Thorne (Home Member): Sir, the facts which I have ascertained this morning are that 37 people have been arrested and not over a hundred as stated in a newspaper—and I was told at 10 o'clock this morning that they are being charged today in court.

Mr. President: Have the proceedings already been launched or are they going to be launched?

The Honourable Sir John Thorne: Yes; I have been told at 10 o'clock that the charges were to be filed when the court opened at 10-30.

Mr. M. Asaf Ali: In that case, the position as I understand it will be this: until the case is actually *sub judice*, the adjournment motion will be admissible. If in the course of the day they charge these people with any particular offence, the case will become *sub judice*, and it will mean that at four o'clock we shall not be able to discuss it. That is the position.

Mr. President: That seems to me to be the position.

Sir Muhammad Yamin Khan: The Honourable Member says he is not definite that the cases have been launched: he says they are going to be, and we do not know whether the magistrate actually turned up at 10 o'clock or not and whether the case has been filed or not—he is not sure. So this cannot be called *sub judice* because the magistrate is not seized of the case.

Mr. President: The matter is clear to me. I may assure the Honourable Deputy President that at present so far as our information goes the matter is not *sub-judice*. I have previous precedents of this House in which, as the Honourable Mr. Asaf Ali pointed out, if by four o'clock the legal proceedings are started then the adjournment motion will have to be dropped. But so long as the facts stand as at present, I think it is an important matter and I will take up this motion for discussion at 4 o'clock.

Mr. M. Asaf Ali: May I just add one word? Although the cases themselves may become *sub judice*, the fact of these people being handcuffed will not be *sub judice*, and that can always be dealt with.

Mr. President: That we shall consider. I had that point also in my mind, but I preferred to wait to give expression to it till 4 o'clock.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): May I respectfully submit that the adjournment motion has nothing to do with court proceedings? It is about handcuffs and about the treatment meted out to these people. The police were dealing with normal conditions, and we are naturally anxious to have the matter ventilated here. Whatever happens in the court will be outside the scope of the adjournment motion.

Mr. President: I am afraid the Honourable Member did not perhaps follow what I said.

Mr. Abdur Rahman Siddiqi: That is my misfortune.

Mr. President: The adjournment motion clearly states "indiscriminate arrest of large number of Muslim League workers and others in Delhi. That is how it begins, so, whether the arrests were indiscriminate or discriminate is a matter which may be tested in a court of law, with which this House will not be concerned if legal proceedings are taken. The other part—it is all one and the same transaction—speaks of "wanton use of handcuffs and chains by Delhi Police", as I said, that matter was in my mind, but at the present stage the whole motion is being admitted and that other question does not arise at present. When the Honourable Member, Mr. Asaf Ali, put that question to me, I said I had that in mind and will consider that aspect of the case at four o'clock. The question of handcuffs and chains will certainly not be *sub judice*, as that is a different matter. The motion will be taken at 4 P.M.

Shri Sri Prakasa: Sir, will you please instruct the Honourable Home Member not to make it *sub judice* before 4 P.M., today?

AMENDMENT OF THE INDIAN AIRCRAFT RULES

Sir Gurunath Bewoor (Secretary, Posts and Air Department): Sir, I lay on the table a copy of the Posts and Air Department's Notification No. 11-M(A)1/46, dated the 23rd January, 1946, making certain further amendments to the Indian Aircraft Rules, 1937, under sub-section (3) of section 5 of the Indian Aircraft Act, 1934.

DEPARTMENT OF POSTS AND AIR

NOTIFICATION

New Delhi, the 23rd January, 1946

No. 11-*M* (*A*) 1/46.—In exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Aircraft Rules, 1937, namely:—

I. In the said Rules,—

(a) for the words "Governor General in Council" wherever they occur, the words "Central Government" shall be substituted and such consequential amendments as the rules of grammar may require shall be made;

(b) for the words "Director of Civil Aviation in India" wherever they occur, the words "Director General of Civil Aviation in India" shall be substituted;

(c) in sub-rule (1) of rule 3,—

(i) after the definition of "Airship" the following definition shall be inserted, namely:—

'"Air transport service" means a service of aircraft for the purpose of effecting public transport of passengers, goods or mails;'

(ii) after the definition of "Course" the following definition shall be inserted, namely :—

' "Director General" means the Director General of Civil Aviation in India;'

(iii) after the definition of "Public transport aircraft" the following definition shall be inserted, namely :—

' "Scheduled air transport service" means an air transport service between places defined in a time-table or otherwise advertised, whether operating at regular prefixed times or not;'

(d) in rule 17, after the words "Any licence" the brackets, words and figures "(other than a licence issued under Part XIII)" shall be inserted;

(e) in rule 38,—

(i) in the first proviso to clause (2) for the words "regular scheduled air service" the words "scheduled air transport service" shall be substituted;

(ii) the second proviso to clause (2) shall be omitted;

(f) Part XIII and rules 134 to 139 contained therein shall be renumbered as Part XIV and rules 156 to 161 respectively, and before Part XIV as so renumbered, the following Part and rules shall be inserted, namely :—

"PART XIII—LICENSING OF AIR TRANSPORT SERVICES"

"134. *Air Transport services to be licensed.*—No air transport service shall after the 1st October 1946, be established or shall operate within British India except under the authority of, and in accordance with, a licence issued under this Part :

Provided that the Central Government may permit the operation of air transport services to or across British India from and to places outside British India by persons not domiciled in British India or by companies registered elsewhere than in British India, with aircraft registered elsewhere than in India on such terms and conditions as it may think fit.

Provided further that the Central Government may, subject to such conditions as it may think fit to impose, permit the operation of air transport services which are not scheduled air transport services for the carriage of passengers, mails or goods without any licence.

135. *Air Transport Licensing Board.*—(1) The authority charged with the duty of examining applications for licences to operate air transport services and of issuing, amending, suspending or revoking such licences shall be the Air Transport Licensing Board, hereinafter referred to as the "Board".

(2) The Board shall consist of a Chairman appointed by the Central Government who shall be a person who is or has been a judge of a High Court in British India, the Director General who shall be the Deputy Chairman, and three Members appointed by the Central Government, one with special knowledge of aviation or air transport another with special experience of financial matters and the third appointed in consultation with the Crown Representative.

(3) The term of office of the Chairman and of any of the Members shall be such period not exceeding 5 years as the Central Government may in each case specify in the order appointing him as such Chairman or Member.

Provided that the Chairman and any Member of the Board shall on the expiry of the original term of appointment be eligible to be reappointed for a further period not exceeding five years :

Provided further that the Central Government may if it thinks fit, terminate at any time the appointment or reappointment of the Chairman or any Member of the Board.

(4) During the temporary absence of the Chairman the duties of his office shall be performed by the Deputy Chairman; and during the temporary absence of a Member of the Board the Central Government may, if it thinks fit, appoint a person to be a temporary Member for the period of such absence.

(5) No act or proceeding of the Board shall be invalid by reason only of the existence of a vacancy in the Board.

136. *Powers of the Board.*—(1) The Board shall have power, subject to the provisions of these Rules, to decide whether a service of aircraft constitutes a scheduled air transport service within the meaning of these Rules, to grant a licence for the operation of a scheduled air transport service wholly within India or from India to a place or places outside India on such conditions as it may think fit, to refuse to grant a licence applied for, and to amend, suspend or revoke a licence.

(2) The Board shall have power to require the declaration of the truth of any statements submitted to it, to inspect or cause to be inspected any premises, aircraft or other things which appear to it to be necessary, to require the submission of additional information by an applicant for a licence, to require the applicant to attend before the Board for the purpose of giving evidence in support of his application, to receive and consider the representations of any third party whom it considers to have an interest in regard to any application for a licence and to publish such particulars regarding an application for a licence as it considers necessary for the purpose of these Rules :

Provided that the Board shall not disclose or require the applicant to disclose to any third party information concerning the financial resources of the applicant or any financial or technical data concerning his application.

137 *Applications.*—(1) Applications for a licence to operate an air transport service shall be made to the Director General not less than three months before the date on which it is desired to commence the service, unless the Board has appointed a last date for the receipt of applications in which case the applications shall be made on or before that date. Applications for a temporary licence, i.e., a licence to operate an air transport service for a period not exceeding 60 days, shall be made to the Director General not less than 15 days before the date on which it is desired to commence the service, provided that the Board may relax this requirement in any case of emergency.

(2) The application shall be made on a form which will be supplied by the Director General on request, shall be signed by the person applying for the licence and if made by any corporate body shall be signed by a person duly authorised in that behalf by such body and shall be accompanied by such information as may be required for the purposes of these Rules.

138 *Publication of applications.*—The Board shall except in the case of applications for a temporary licence, cause to be published in the *Gazette of India* and in not less than two daily newspapers, particulars regarding each application for a licence as set out in Section A of Schedule VII to these Rules and a statement of the date not being less than 30 days after the date of publication, on which the application will be taken into consideration.

139. *Representations.*—Any person may, not less than 15 days before the date specified for the consideration of the application by the Board, make a representation to the Board in writing, accompanied by the appropriate fee through the Director General, setting out the specific grounds on which the representation is made. A copy of every such representation shall be sent by the person making it to the applicant for the licence at the same time as it is sent to the Board and a certificate to that effect shall be forwarded to the Director General. The Board may at its discretion give an opportunity to the person making the representation to state his views in the presence of the applicant for the licence. The Board may require any person making a representation under this rule to produce evidence of the truth of any statement he may make.

140 *Conditions to be included.*—In exercising its discretion to grant or refuse a licence or to attach conditions to a licence, the Board shall have regard to the co-ordination and development of air transport generally in the interests of the public as well as those of persons providing air transport facilities and shall satisfy itself in regard to the following matters namely —

(1) *General.*—The need for air transport in the area concerned, potential traffic on the route, existing air services serving the area, other proposals for air transport services in the area, and the capacity of the applicant as an air transport operator.

(2) *Economic strength.*—That the applicant commands financial resources and organisation sufficient to establish his presumptive ability to maintain the operation of the air transport service proposed for a period of at least three years, and for this purpose he shall present to the Board details of his capital organisation, particulars of his managerial and administrative organisation, a copy of the Memorandum and Articles of Association of the Company if the applicant is an incorporated body, and estimates in such detail as may be required of the cost of operation of the service and of the revenue expected.

(3) *Route.*—That the air route over which the service is proposed to be operated complies with the general conditions set out in Section A of Schedule VIII to these Rules, and in general that the route is or will be adequately organised with terminal and intermediate aerodromes, emergency landing grounds, passenger facilities and radio, meteorological and other ground aids to navigation appropriate to the nature of the air transport service it is proposed to operate.

(4) *Aircraft.*—That the aircraft to be used comply with the minimum conditions prescribed in Section B of Schedule VIII to these Rules and in general that aircraft will be provided for the air service of a number and type adequate for safe and efficient operation of the air service in accordance with the approved time table, having regard to the nature of the terrain to be flown over and the nature of the organisation on the route, and for this purpose the applicant shall produce all necessary technical data concerning the aircraft and the engines to be used. He shall also show that such aircraft are or will be adequately equipped with radio communication, radio lighting and other aids to navigation and passenger equipment and conveniences in accordance with the nature of the air transport service to be operated.

(5) *Technical Personnel.*—That technical personnel (including pilots, radio operators, engineers and mechanics) will be employed in adequate numbers, with appropriate licences issued under these Rules and with other qualifications and experience in particular satisfying the requirements of Section C of Schedule VIII to these Rules and in general adequate for safe operation as related to the service proposed, the route to be traversed, the aircraft to be used and the operation and maintenance procedure to be adopted.

(6) *Operations Manual.*—That an operations manual has been prepared for the use of the air crews and other technical personnel, which adequately details the organisation of the route to be traversed and the operational and communications system procedure and technique to be adopted, and that proper provision is made for maintaining the operations manual up to date and for introducing progressive improvements.

(7) *Maintenance and Overhaul.*—That adequate hangars, workshops, and aerodrome equipment, tools and aircraft and aero-engine spares have been or will be provided for the proper

maintenance and overhaul of the aircraft and their engines, that a maintenance manual has been prepared for the use of personnel which adequately details the maintenance and overhaul system to be adopted and that proper provision is made for maintaining the maintenance manual up to date and introducing progressive improvements.

(8) *Schedules, Fares, Freight rates, etc.*—That the time-table of the service proposed satisfies, to the greatest practical extent, the convenience of transport of passengers and mails, that, having regard to prevailing winds and scheduled refuelling stops, it does not involve the operation of the aircraft at a cruising speed in excess of that obtainable at the continuous cruising power output of the engines specified by the makers for like conditions of operation or prescribed by the Board, and that the passenger fares and freight rates proposed, including any concessional fares and rates, are reasonable in relation to the cost of the service and prevailing fares and rates on other air and surface transport services. For these purposes the applicant shall produce a time table of the service proposed, and a schedule of such fares and rates.

141. *Grant of licence subject to conditions*.—The Board may grant a licence subject to such conditions as it may think fit, with the object of securing the safe and efficient operation of air transport The licence shall provide, among others, for the following matters namely :—

(1) The places at which aircraft may or shall land for traffic or other purposes

(2) The conditions (diurnal, seasonal, or meteorological) in which the service may be operated.

(3) The aircraft to be used.

(4) The observance of a schedule of air services approved from time to time by the Board.

(5) The maximum and minimum fares and freight rates to be charged to passengers and consigners of goods and mails

142. *Obligation to comply with the Indian Aircraft Act, 1934 and Rules*.—The grant of a licence shall not be construed as in any way absolving any person from the obligation of complying with the Indian Aircraft Act, 1934, the Indian Carriage by Air Act, 1934, or with the rules made thereunder or with any other statutory provision governing aviation

143. *Period of validity of licences*.—A licence shall, subject to the provisions of rule 148, be valid for such period not exceeding sixty days in the case of a temporary licence, and not exceeding ten years in any other case, as may be fixed by the Board and noted in the licence.

144. *Refusal of licence*.—In any case in which the Board refuses to grant a licence or grants a licence subject to conditions to which the applicant objects, the Board shall record in writing the reasons for its decision, and the applicant shall be entitled to a copy thereof

145 *Amendment of terms of licence*.—(1) The Board, so far as appears to it to be necessary for securing the more effective development of air transport or otherwise in the public interest, may at any time amend the terms of a licence after giving the holder a reasonable opportunity of representing his views

(2) The Board may on the application of the holder of a licence made in the manner prescribed in rule 137 make such amendment in the licence as appears to the Board to be unobjectionable

146 *Provisional licences*.—The Board may grant a provisional licence for such period and on such conditions as it thinks fit—

(i) where an application for a licence other than a temporary licence has been made under rule 137 and the Board considers it desirable that the applicant should have a provisional licence pending the final disposal of the application, or

(ii) where the Board considers that although all the requirements of this part cannot be immediately satisfied an air transport service may be permitted to operate for a limited period without detriment to public safety

147 *Existing services*.—In the case of a scheduled air transport service which is in operation on the 1st July 1946 the application under rule 137 for a licence shall be made before the 1st August 1946, and on such application being made, the Board shall grant to the applicant a provisional licence authorising him to continue to operate that service until a licence is issued to him under rule 141 or, in the event of his application being rejected, until the expiry of three months after the date of such rejection

148. *Revocation and suspension of licences*.—(1) The Board may revoke, or suspend for such period as it thinks fit, a licence if it is satisfied that any of the conditions of the licence has not been complied with and that the failure is due to any wilful act or omission on the part of the holder of the licence, or has been so frequent, or is due to such neligence on his part, that the licence should in the public interest be revoked or as the case may be, suspended.

(2) Before any action is taken under sub-rule (1) the Board shall give to the holder of the licence not less than thirty days' notice in writing specifying the grounds upon which it is proposed to revoke or, as the case may be, suspended the licence and shall give him a opportunity of showing cause against the proposed action either in writing or by appearing in person before the Board.

(3) Where a licence is revoked or suspended under sub rule (1) the Board shall record in writing the reasons for its decision and the holder of the licence shall be entitled to a copy thereof.

(4) Where a licence is suspended under sub-rule (1) the holder of the licence shall submit it to the Board who shall make an endorsement thereon showing the period of, and the reasons in brief for, the suspension.

(5) Notwithstanding anything contained in sub-rule (1) or sub-rule (2) the Board may, if it has reason to believe on inofrmation in its possession that it is expedient in the interests of public safety so to do, summarily suspend a licence with a view to further enquiry and action in accordance with sub rule (1) and (2).

149. *Publication of decisions.*—The Board shall cause to be published in the *Gazette of India* and in not less than two daily newspapers the particulars prescribed in Section B of Schedule VII to these Rules concerning its decision on any application for a licence and the particulars prescribed in Section C of Schedule VII to these Rules concerning any decision to revoke, suspend or amend a licence.

150. *Transfer of licence.*—A licence issued under this Part shall not be capable of being transferred or assigned except with the specific permission of the Board

Provided that in the event of the death, incapacity, bankruptcy, sequestration or liquidation of the holder of the licence, or of the appointment of a receiver or manager or trustee, in relation to the business of the holder, the person for the time being carrying on that business shall, if within 14 days application is made to the Board for a new licence, be entitled to continue the operation of the licensed air transport service until the application is disposed of.

151 *Continuance of rights.*—Nothing in this Part shall be construed as conferring upon the holder of a licence on its expiry any right to the issue of a new licence for the operation of a service on the same route or to the continuance of any other benefits arising from the provisions of this Part or any licence granted thereunder :

Provided, however, that if the holder of a licence applies for a new licence to continue the operation for a further period of an air transport service which has been licensed under this Part and if the Board is satisfied that the air transport service has been operated efficiently and in the best interests of the public other things being equal, the the Board shall give preference to the application from the holder of the licence

152 *Custody, production and surrender of licences.*—(1) A licence issued under this Part shall be kept at the principal office of the holder thereof and shall be produced for inspection on demand by any magistrate any police officer not below the rank of Deputy Superintendent, any Customs Officer, any Gazetted Officer of the Civil Aviation Directorate or any other person authorised by the Central Government, or the Board by special or general order in writing in this behalf

(2) An extract from the licence giving the particulars set out in Section D of Schedule VII to these Rules shall be displayed in a position accessible to the public in the principal traffic office of the holder of the licence

(3) On the expiration of the currency of a licence, whether by efflux of time or in consequence of a decision of the Board under these Rules, or when a licence is suspended by the Board the holder shall surrender the licence to the Director General for endorsement or cancellation as the case may require

153 *Carriage of mails.*—A licence-holder shall perform all such reasonable services in regard to the conveyance of mails (with or without officers of the post office in charge thereof) on a licensed air transport service as the Director General of Posts & Telegraphs may from time to time require The remuneration for any services performed in pursuance of such requirement shall be such as may be determined from time to time by the Board

154 *Fees.*—(1) The following fees shall be payable

(a) In respect of every application for a licence under this Part except a temporary licence ..... Rs 500

(b) In respect of an application for a temporary licence under this Part Rs 100

(c) In respect of the grant of a licence, under this Part for every year or part of a year of the period of validity of the licence ..... Rs 500.

(d) In respect of every application for amendment of a licence under sub-rule 2 of rule 145 ..... Rs 150

(e) In respect of every representation made to the Board under rule 139, except where such representation is made by a public authority ..... Rs 150

(2) A treasury receipt for the amount of the fee payable shall be forwarded with every application for a licence under this Part and with every representation made to the Board under rule 139, and a Treasury receipt for the fee payable on the grant of a licence shall be forwarded to the Director General before the issue of the licence

(3) Where the holder of a licence voluntarily surrenders it before the expiry of the period of its validity, whether with a view to its replacement by a new licence or otherwise, he shall be entitled to a refund of a part of the fee paid under clause (c) of sub rule (1) proportionate to the number of whole years left in the said period

(4) Save as provided in sub-rule (3) no part of the fees paid under sub-rule (1) shall be refunded.

155. *Periodical returns.*—(1) Every person to whom a licence has been granted under this Part shall submit to the Director General in such form as may be prescribed by him—

(a) monthly returns regarding the operation of the licensed air transport services and other air transport operations of the licence holders, so as to reach the Director General not later than 45 days after the expiry of the month to which the return relates; and

(b) annual returns regarding the financial results of the undertaking during each calendar year so as to reach the Director General not later than three months after the expiry of the year to which the return relates.

(2) Subject to such additions and alterations, if any as may be indicated in the forms prescribed by the Director General, the particulars of information to be furnished in the monthly and annual returns under sub-rule (1) shall be those set out in section A and section B, respectively, of Schedule IX to these Rules.

(3) No information furnished in an annual return under paragraph (b) of sub-rule (1) shall be published or disclosed in respect of any individual air transport service or licensee without the consent of the licensee, and if any person publishes or discloses any such information without such consent, he shall be guilty of an offence punishable under these Rules;

Provided that nothing in this sub-rule shall apply to the publication or disclosure by any authorised person of collective information relating to licenced air transport services nor to the publication or disclosure of any information for the purposes of any legal proceedings which may be taken in pursuance of this Part or for the purpose of any report of such proceedings.

II. In the Schedules to the said Rules :—

(a) in Schedule VI :—

(i) for the brackets, words and figures "(See rule 139)" the brackets, words and figures "(See rule 161)" shall be substituted;

(ii) after entry 13 (and included within the third bracket in the third column) the following entry shall be inserted, namely :—

"13A. *Unauthorised disclosure* —Unauthorised publication or disclosure of financial information furnished relating to a licenced air transport service . . . . 155(3)".

(iii) for the figures "135", "136" and "137" in the second column against entries 19, 20 and 21, the figures "157", "158" and "159" shall respectively be substituted;

(b) after Schedule VI the following Schedules shall be added namely —

SCHEDULE VII

Licensing of Air Transport

Section A

Particulars of applications published in pursuance of rule 138 of the Indian Aircraft Rules, 1937

The Air Transport Licensing Board gives notice that it has received applications for licences for the operation of the following air transport services —

(i) Air Route and stopping places :

(ii) Frequency of service

(iii) Period of operation applied for ;

(iv) Name and address of applicant(s) .

Any representation which may be made in regard to these applications must be deposited with the Director General not later than

The application(s) will be taken into consideration on

Section B

Particulars of decisions of the Licensing Board, published in pursuance of rule 149 of the Indian Aircraft Rules, 1937

The Air Transport Licensing Board has considered the applications detailed below for a licence to operate the air transport service specified and its decision is published for information

(i) Air Route and stopping places .

(ii) Name and address of licensee .

(iii) Number and date of licence ;

(iv) Period of validity of licence :

(v) Frequency of service to be operated :

(vi) Class of aircraft to be used

Names of applicants to whom a licence has not been granted

Section C

Particulars of licence amended, suspended or revoked, published in pursuance of rule 149 of the Indian Aircraft Rules, 1937.

The Air Transport Licensing Board has amended suspended revoked the licence to operate the air transport service detailed below —

(i) Air Route :

(ii) Number and date of Licence ;

(iii) Name and address of licensee

(iv) Details of amendment :

(v) Reasons for amendment :

(vi) Period of suspension :

(vii) Reason for suspension :

(viii) Date from which revocation takes effect :

(ix) Reasons for revocation :

Section D

Particulars of a licence to be displayed in pursuance of rule 152(2).
(i) Number and date of licence.
(ii) Name and address of the licensee.
(iii) Air route and stopping places
(iv) Frequency of service.
(v) Class of aircraft operated.
(vi) Period of validity of licence.

SCHEDULE VIII

Licensing of Air Transport

Minimum conditions to be fulfilled

(See rule 140)

A. Air Route.

1. Day operation

(a) *Aerodromes*.—The terminal and intermediate scheduled aerodromes shall be licensed or approved in accordance with Part XI of the Rules and equipped with approved refuelling apparatus and storage, telephone communication and (in the case of passenger air service) satisfactory passenger shelter and conveniences, with adequate personnel and equipment for the control of passengers, and the public in the interests of their safety

(b) *Emergency landing grounds*.—For single engined aircraft operation there shall be emergency landing grounds providing in at least one direction safe landing and take off dimensions for the type of aircraft proposed at intervals of not more than 150 miles For multi-engined aircraft operation there shall be similar emergency landing grounds at such intervals as the Board having regard to the type of aircraft and the nature of the route, may require

(c) *Radio*.—When otherwise required by these Rules or when the nature of the terrain along the route or climatic conditions in the season during which operations will take place, in the opinion of the Board, render visual contact flying unsafe, the route shall be equipped with radio communication and radio direction finders or radio beacons of approved type At such aerodromes as the Board may require there shall be installed suitable radio telephone apparatus for communication between the aerodrome control and aircraft operating on or in the vicinity of the aerodrome.

(d) *Meteorology*.—The terminal and intermediate scheduled aerodromes shall be provided with means for communicating to pilots weather forecasts and weather reports for the route: Provided that the Board may dispense with such part of this requirement as appears to be suitable in the case of aircraft equipped with radio apparatus

2 Night operation

(a) The route shall comply with all the conditions prescribed in paragraph 1 of this Section and in addition

(b) *Lighting*.—The route shall be equipped with approved air route beacons at every terminal and intermediate aerodrome and at such emergency landing grounds and other places along the route as to provide beacons at intervals of not more than 100 miles All terminal and intermediate aerodromes and the emergency landing grounds provided in accordance with clause (b) of paragraph 1 shall be equipped with approved aerodrome lighting

B Aircraft.

1 Day operation.

(a) *Single engined aircraft*.—Single engined aircraft shall not be operated in passenger air service over water at a greater distance from land than will permit the aircraft to reach land suitable for safe landing in the event of failure of the power plant, nor on any route which in the opinion of the Board does not permit the aircraft to be flown with safety by visual contact methods The Board may permit such relaxation of these conditions as it thinks fit in the case of air services carrying mails or goods only

(b) *Multi-engined aircraft*.—The aircraft when loaded to the maximum gross weight permitted by its certificate of airworthiness shall be capable of maintaining level flight with one engine inoperative at an altitude not less than 1,000 feet above the valley level at the highest point on the air route or, if flown over water, at an altitude of not less than 3,000 feet above the water.

(c) *Flight over water. Equipment*.—If the air route crosses water at a distance from land greater than will permit the aircraft to reach land in the event of complete power failure, it shall be equipped with retractable landing gear, with one or more suitable emergency exists, with life belts for each person on board and with apparatus for making the distress signals prescribed in these Rules.

(d) *Radio*.—When operating at aerodromes equipped with radio telephone communication apparatus in accordance with clause (c) of paragraph 1 of Section A, the aircraft shall be equipped with suitable radio telephone apparatus for communication between the pilot and the aerodrome control, and except on air services approved for visual contact flying, the aircraft shall be equipped with radio apparatus suitable for the transmission and reception of all radio signals to and from the radio stations established on the air route and in addition with a direction finding receiver or other receiving apparatus suitable for operating with the radio aids to navigation established on the route.

(e) *Passenger equipment.*—There shall be provided a supply of drinking water and except on aircraft carrying less than six passengers and approved lavatory.

2. Night operation.

(a) *Single engined aircraft.*—No single engined aircraft shall be approved for operation of a passenger air service by night

(b) *Multi-engined aircraft.*—All the conditions prescribed in paragraph 1 of section B shall be complied with, and the radio requirements shall be complied with in all cases

C. Aircrews.

1. No aircraft may be flown on a licensed air transport service without the full number of members of the crew required for its safe operation as designated in the licence. Each member of the crew shall be in possession of the appropriate licence issued or rendered valid in accordance with the provisions of Part V and Schedule II of these Rules, and in addition shall fulfil and comply with the requirements and conditions for the operation on scheduled air transport services of aircraft of the classes defined and in the conditions defined in this Section.

2 Pilot shall have had not less than the following flying experience :—

	First Pilot.	Second and other pilots.
A. Aircraft authorised to be operated with one pilot.	300 hours within the preceding three years, including the following : 200 hours as solo or first pilot ; 100 hours cross country flying ; 20 hours instrument flying, of which not more than 10 hours may be under simulated conditions ; and for the operation of multi-engined aircraft ; 50 hours flying of multi-engined aircraft as first or second pilot, including at least 10 take-offs and 10 landings effected as pilot ; and for operation by night. 50 hours night flying as first or second pilot, including at least 10 take offs and 10 landings effected as pilot.	
B. Aircraft not exceeding 10,000 lbs. gross weight requiring two or more pilots.	500 hours within the preceding five years, including the following ; 300 hours as solo or first pilot , 300 hours cross country flying , 40 hours instrument flying of which not more than 20 hours may be under simulated conditions ; and for the operation of multi engined aircraft : - 50 hours flying as first or second pilot of multi-engined aircraft including at least 10 take-offs and 10 landings effected as pilot ; and for operation by night 50 hours night flying as first or second pilot, including at least 10 take-offs and 10 landings effected as pilot.	The qualifications prescribed for a commercial pilot (B Licence) of the type or aircraft operated as prescribed in Part V and Schedule II of these Rules The Pilot shall demonstrate his ability by making three take-offs and three landings in the type of aircraft in which he is to serve.
C. Aircraft between 10,000 and 35,000 lbs.	750 hours within the preceding five years, including the following : - 500 hours as solo or first pilot. 500 hours cross country flying. 200 hours flying as first or second pilot of multi-engine aircraft, including at least 10 take-offs and 10 landings effected as pilot and 100 hours in aircraft in this class. 50 hours instrument flying, of which not more than 25 hours may be under simulated conditions ; and for operation by night. 100 hours night flying as first or second pilot, including at least 10 take-offs and 10 landings effected as pilot.	(As above.)
D. Aircraft of gross weight exceeding 35,000 lbs. requiring two or more pilots.	1500 hours within the preceding seven years, including the following : 1000 hours as solo or first pilot, 1000 hours cross country flying. 500 hours flying as solo or first pilot in multi-engined aircraft and 25 hours as second pilot in aircraft in this class.	(As above.)

100 hours instrument flying of which not more than 50 hours may be under simulated conditions, and for operation by night.

250 hours night flying, including at least 100 hours as first or solo pilot and at least 10 take-offs and 10 landings effected as pilot.

3. All pilots shall demonstrate to a check pilot or inspector approved by the Director General that they are familiar with the aircraft, its instruments, equipment, fuel and other installations, and its loading and operation in the conditions peculiar to the air route.

4. All pilots shall demonstrate to an Examiner appointed or approved by the Director General that they are familiar with all air navigation facilities and procedures, air traffic control system, airway lighting systems and aircraft distress procedures currently in use.

5. The first pilot shall have made at least two flights either as first pilot without passengers or as second pilot along the route over which he is required to fly in conditions permitting visual contact flying and shall himself have landed and taken off at each of the scheduled aerodromes on the route

6. All pilots while engaged on a licensed air transport service shall, every three months, undergo not less than two hours of practice, instruction and check in instrument flying under approved simulated conditions or on actual flight under the supervision of a check pilot approved by the Director General.

SCHEDULE IX

Licensing of Air Transport

(*See* rule 155)

Section A

Particulars of information regarding air transport service operations to be supplied by licence holders, monthly :—

1. The places to and from which the licensed air transport service is operated including intermediate stops.

2. The number and types of aircraft operated on the licensed air transport service, with such particulars of the aircraft and engines as may be required.

3. Number of pilots, wireless operators and other members of air crew employed on the service and numbers of licensed ground engineers and other technical personnel employed.

4. The following information relating to services operated and load carried shall be supplied separately in relation to such separate stages of the route as may be specified in the licence.

(1) *Services operated.*

(a) Number scheduled.

(b) Number and percentage completed without interruption.

(c) Number and percentage interrupted *en route* and the cause and extent of delay.

(d) Number and percentage not commenced and the causes.

(e) Number of unpremeditated landings, the services affected and the reasons.

(2) *Load carried.*

(a) Mean pay load capacity operated, *i e*,

(*Sum of pay loads for each stage* × *Mileage of stage*)

(Total mileage of route.)

(b) Number of passengers carried.

(c) Passenger miles effected

(d) Mean percentage of passenger seats occupied

(e) Weight of passenger baggage carried

(f) Weight of mails carried.

(g) Mail-ton miles effected.

(h) Weight of freight carried.

(i) Freight-ton miles effected.

(j) Mean percentage of total pay load capacity filled

Section B.

Particulars of financial information to be supplied by licence holder annually :—

1. *Cost of operation* per mile and per ton mile flown on the licenced service under the following heads :—

(1) *Flying operations*—

(a) Pay of First Pilots.

(b) Pay of Second Pilots.

(c) Pay of Wireless operators

(d) Pay of other members of the crew.

(e) Fuel.

(f) Oil.

(2) *Depreciation of Flying Equipment*—

(a) Depreciation of aircraft.

(b) Depreciation of aero engines.

(c) Depreciation of aircraft propellers.
(d) Depreciation of aircraft radio equipment.
(e) Depreciation of aircraft instruments.

(3) *Accidents and Insurance of Flying Equipment*—
(a) Insurance premia.
(b) Cost of material, spares and other direct expenses of accidents not covered by insurance.

(4) *Aerodrome Operations*—
(a) Landing fees.
(b) Housing fees rent of hangars, lighting of hangars.
(c) Depreciation and repair of hangers.
(d) Rent, lighting and other expenses of aerodrome buildings other than hangars, workshops and stores.
(e) Depreciation and repair of other aerodrome buildings.
(f) Pay of traffic and other aerodrome personnel other than engineering.
(g) Operation of motor cars and miscellaneous expenses.

(5) *Flying Equipment Maintenance and Overhaul—Direct*—
(a) Aircraft—labour
(b) Aircraft—material and parts.
(c) Aero engines—labour
(d) Aero engines—material and parts
(e) Aircraft propellers—labour
(f) Aircraft propellers—material and parts
(g) Aircraft radio—labour
(h) Aircraft radio—material and parts
(i) Aircraft instruments—labour
(j) Aircraft instruments—material and parts

(6) *Ground Equipment—Maintenance and Overhaul—Direct*—
(a) Aerodrome equipment—labour material and parts.
(b) Workshop equipment—labour, material and parts
(c) Mechanical Transport—labour, material and parts
(d) Ground Radio—labour, material and parts

(7) *Flying and Ground Equipment—Maintenance and Overhaul—(Indirect)*—
(a) Pay of Supervisory staff
(b) Pay of stores and other general staff
(c) Rent, lighting, etc., workshops and stores buildings
(d) Depreciation and repair of workshops and stores, buildings
(e) Office supplies and other general expenses of engineering department

(8) *Depreciation of Ground Equipment*—
(a) Machinery, tools and mechanical equipment
(b) Mechanical transport.
(c) Ground radio equipment
(d) Aerodrome equipment
(e) Other equipment

(9) *Traffic and sales*—
(a) Pay of traffic staff and agents.
(b) Agency commission on bookings.
(c) Other traffic expenses

(10) *Advertising and publicity.*
All advertising and publicity costs including the publication of time-tables and pamphlets

(11) *Passenger service*—
(a) Pay of cabin attendants.
(b) Food service for passengers
(c) Passenger insurance.
(d) Ground transport of passengers.
(e) Other costs of caring for passengers.

(12) *Administrative and General*—
(a) Pay of managerial staff.
(b) Pay of office and general staff.
(c) Personnel—Welfare.
(d) General taxes.
(e) Other expenses.

2. *Revenue earned* per mile flown and per ton mile of load carried under the following heads :—
(1) Passengers.
(2) Passenger baggage.
(3) Mails.
(4) Freight."

G. V. BEWOOR, Secy.

ELECTION OF MEMBERS TO THE COURT OF DELHI UNIVERSITY

Dr. John Sargent (Secretary, Education Department): Sir, I move.

"That in pursuance of clause (xiv) of sub-section (1) of section 18 of the Delhi University Act, 1922 (VIII of 1922) as amended by the Delhi University (Amendment) Act, 1943 (XXIV of 1943), read with clause (5) of Statute 2 of the Statutes of the University set out in the Schedule to the latter Act, the elected members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, eight persons from among their own number to be members of the Court of the University of Delhi."

Mr. President: Motion moved:

"That in pursuance of clause (xiv) of sub-section (1) of section 18 of the Delhi University Act, 1922 (VIII of 1922) as amended by the Delhi University (Amendment) Act, 1943 (XXIV of 1943), read with clause (5) of Statute 2 of the Statutes of the University set out in the Schedule to the latter Act, the elected members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, eight persons from among their own number to be members of the Court of the University of Delhi."

Lt.-Col. Dr. J. C. Chatterjee (Nominated: Non-Official): On a point of information, Sir. I would like to know why the election of these 8 members is confined to the elected members of the House. Is it presumed that only elected members are educated and the others are uneducated?

Mr. President: Order, order. I presume—I do not know—that this must be in accordance with the provisions of the Act.

Dr. John Sargeant: Yes, Sir.

Mr. President: There is a statutory obligation and that is why the motion is worded as it is. It makes no distinction between the elected and nominated, so far as the House goes.

The question is:

"That in pursuance of clause (xiv) of sub-section (1) of section 18 of the Delhi University Act, 1922 (VIII of 1922) as amended by the Delhi University (Amendment) Act, 1943 (XXIV of 1943), read with clause (5) of Statute 2 of the Statutes of the University set out in the Schedule to the latter Act, the elected members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, eight persons from among their own number to be members of the Court of the University of Delhi."

The motion was adopted.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE EDUCATION DEPARTMENT.

Dr. John Sargent (Secretary, Education Department): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, ten non-official members to serve during the period comprising the unexpired portion of the current financial year and the whole of the next financial year, on a Standing Committee to advise on subjects dealt with in the Department of Education."

Mr. President: Motion moved:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, ten non-official members to serve during the period comprising the unexpired portion of the current financial year and the whole of the next financial year, on a Standing Committee to advise on subjects dealt with in the Department of Education."

To this motion, Mr. Ayyangar has tabled an amendment. In this connection I would draw the Honourable Member's attention to the Rules regarding the constitution of Standing Committees on page 96. The rules do provide that brief reports of the activities of each committee, mentioning the subjects discussed and the conclusions reached by the Committee but not the tenor of the discussions will be circulated to all members of the Central Legislature.

Sri M. Ananthasayanam Ayyangar (Madras ceded District and Chittoor: Non-Muhammadan Rural): In addition, I want larger details to be given. There is a Planning Committee and other important Committees and their proceedings are so important that they affect the general administration of the country as a whole and all the members of the Assembly are interested in them. At present we get only a few laconic sentences and it is not easy to understand what exactly transpired. I want a bigger and fuller statement to be made at each session of the House in regard to the proceedings during the off season. That is the object of my motion.

Mr. President: *The difficulty which I have been feeling about the amendmen* is this. The provisions of the Standing Order are very clear. The reports have to be brief and a further limitation has been imposed in regard to the tenor of the discussions. If the Honourable Member wants to enlarge the scope of the Committee's reports, the Standing Orders must first be amended.

Sri M. Ananthasayanam Ayyangar: What I am trying to do is to secure fuller reports by means of a vote of this House. What I desire is that the member who makes a motion must make a statement to the House as to what the activities in the previous period were. It should not be a brief résumé but it should be *in extenso* so that the members of the House may be fully informed as to what activities were embarked upon during that period, in order that the Assembly may correct mistakes, if any, or add usefully to the activities in a later session. I submit that my suggestion is not inconsistent with the provision that already exists. I would therefore submit that my amendment is calculated to add to the usefulness of the committee.

Mr. President: However desirable that course may be, I am now concerned with the admissibility of the amendment. To my mind, it does not fit in with the provisions of the Standing Order. The Committee itself may do many things by common consent.

Sri M. Ananthasayanam Ayyangar: Then I do not press my amendment. I shall later on make a suitable motion for amending the Standing Order.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): I would like the Honourable Member to take advantage of this opportunity and tell us what is the work that has been transacted by the Committee since it was appointed last year. We want to know whether it has been convened at all and if so how often and what were the subjects that were discussed. I learn that there is an All-India Educational Conference or Committee or Council associated with the Education Department, that it meets once or twice a year and on it are represented some of the most distinguished educationists of the country. I would like to be supplied with copies of the reports that are being issued by this Council. We have just now passed a motion in regard to the Delhi University. I should like to know whether it would be impossible to supply us with a copy of the administration report of the Delhi University for our information.

Dr. John Sargent: With regard to the first point raised by Prof. Ranga, I may inform the House that a standing committee of the late legislature met last summer and we had a very interesting meeting. The main object was to discuss and explain the proposals for post war development in this country which have been prepared by the Central Advisory Board of Education. The Standing Committee generally accepted this as desirable. The other body to which the Honourable Member referred was the Central Advisory Board of Education itself. All the reports of that body were, I think, circulated to all members of the last Assembly. They are certainly in the library of the House. I should be only too delighted to recirculate them.

With regard to the Delhi University, I do not know exactly what the Honourable Member has in mind. The amending Act of 1943 sets out with great clearness the whole of the present constitution of the University and the very long discussions in the House lasting over a month which then took place will inform him pretty accurately of the way the Delhi University is administered. If there is any further information the Honourable Member would like to have, I should be very glad to supply him with it.

Lt.-Col. Dr. J. C. Chatterjee: I think the Honourable Member's purpose will be served if he gets copies of the Annual Report of the Delhi University.

Mr. President: That motion has already been adopted by the House.

Lt.-Col. Dr. J. C. Chatterjee: There was a reference made by the Honourable Member to certain administration reports of the Delhi University. An annual report is published by the University.

Mr. President: This matter relates to the previous motion.

Lt.-Col. Dr. J. C. Chatterjee: *The Honourable Member raised this point in connection with the last motion. He said he would like to have copies of the* Administration Report. The report of the Central Advisory Board of Education was circulated last year.

Mr. M. Asaf Ali (Delhi: General): I am not quite sure whether this is not due to war economy of paper that we were not supplied with the necessary literature. I remember we used to get all the reports connected with the Delhi University from time to time, including the proceedings of the Governing Body and everything else every year.

We have all along been receiving reports and minutes of the proceedings. If all literature is supplied to all Honourable Members, I am absolutely certain that questions of this nature will not arise. Honourable Members will be able to make up their minds whether they should participate in the kind of committees which are being suggested or they should not. So if they have nothing in their mind, they will place these reports before us. The Progress reports of the Educational Commissioner have also become very scarce, they are not going round now-a-days. Why are they not sent to all members so that they may know exactly what is happening so far as education is concerned.

Dr. John Sargent: I am most anxious to supply Honourable Members with all the information possible relating to educational questions. We suffer from a lack of knowledge in this respect Although it is perhaps outside the scope of the present discussion, I may say with regard to the question of my own reports, that is, the annual and quinquennial reports by the Educational Commissioner, that as a measure of economy and at the request of Provincial Governments on whom we depend very largely for material, they have been in abeyance for the last two or three years But the draft of the main report is at the moment on my table and I hope the publication will be resumed in the very near future.

Mr. President: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, ten non-official members to serve during the period comprising the unexpired portion of the current financial year and the whole of the next financial year, on a Standing Committee to advise on subjects dealt with in the Department of Education."

The motion was adopted

Mr. President: I have to inform Honourable Members that for the purpose of election of members to the Court of the University of Delhi and the Standing Committee for the Department of Education, the Notice Office will be open to receive nominations upto 12 noon on Monday, the 18th February, and that the elections, if necessary, will be held on Wednesday, the 20th February The elections, which will be conducted in accordance with the Regulations for holding of elections by means of the single transferable vote, will be held in the Assistant Secretary's room in the Council House, between the hours of 10-30 A.M. and 1 P M

PHARMACY BILL.

Mr. President: Further consideration of the following motion moved by Mr S H. V Oulsnam on Friday, the 8th February, 1946, namely:

"That the Bill to regulate the profession of pharmacy be referred to a Select Committee consisting of Rai Bahadur D. M. Bhattacharyya, Dr. P. G. Solanki, Mr. E L. C. Gwilt, Sir Hassan Suhrawardy, Syed Ghulam Bhik Nairang, Dr. G V Deshmukh, Pandit Thakur Das Bhargava, Pandit Balkrishna Sharma and the mover, with instructions to report on or before the 25th February, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Also further consideration of the Amendment moved by Mr. Ahmed Ebrahim Haroon Jaffer:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the end of June 1946."

Amendment moved (by Dr. G. V. Deshmukh):

"That the Bill be circulated for the purpose of eliciting opinion thereon by Tuesday, the 30th April 1946."

Mr. Leslie Gwilt (Bombay: European): Mr. President, Sir, on behalf of the European Group, I rise to support the Motion that has been moved by my Honourable friend Dr. Deshmukh for the circulation of this Bill, though I must confess that I do so somewhat half heartedly. I do so without enthusiasm because we feel that the drafting of the Bill is as admirable as its principle and objects and in addition to those opinions which my Honourable friend the Mover read out, opinions from bodies who are interested in the Bill, I may make a reference to a telegram that we have received from the Bengal Pharmaceutical Association in which they welcome wholeheartedly the introduction of the Pharmacy Bill and feel that the Bill should not be circulated but referred to the Select Committee in the interests of public health service of India and national health. That telegram very largely expresses the opinion of the Group. Furthermore I think it will interest the House to know that in the Pharmaceutical Journal of the issue of 5th January—the official organ of the Pharmaceutical Society of Great Britain—there appear two articles, one of which is an editorial and the other a commentary and both speak well of the Bill. Despite this, however, as I have said, my Group supports the Motion for circulation, because the Bill is to some extent a technical measure and despite the fact that we feel its provisions are straightforward and desirable, nevertheless we appreciate that there are Honourable Members of this House who may feel that they not only require themselves to examine its provisions further but also that an opportunity should be given to the interests with whom they may be in contact. I venture to think that when the Bill eventually emerges from the Select committee, it is unlikely that there will be any major alteration in its clauses. For as a piece of legislation complementary to the Drugs Act, I suggest that it provides much of similar legislation in other countries.

In conclusion, Sir, I hope that the Honourable Member who is in charge of the Bill will at the time of circulating it also circulate copies of this debate and if I may suggest it, a copy of the articles to which I referred which appear in the Pharmaceutical Journal, because I think they will be of assistance. Sir, I support the Motion for circulation.

Mr. S. H. Y. Oulsnam (Secretary, Health Department): Sir, I will only reply very briefly to one or two points which were raised during the course of the debate the other day by my Honourable friend from Bombay City. I am afraid I cannot follow him over the very wide field which he covered on that occasion. I certainly welcome and endorse his plea for a more active public interest in health measures and I hope that when the report of the Health Survey and Development Committee is published—it will be published in a few days time as soon as printed copies are available—I hope it will help to stimulate public interest in these matters. But this Bill is concerned with one specific problem, namely, the problem of ensuring that persons engaged in the profession of pharmacy are adequately qualified. I gather that the real complaint of the Honourable Member was that the Bill does not go far enough. I make no claim that the Bill is perfect,—few Bills ever are,—and I hope that we shall have the assistance of the Honourable Member in improving the Bill when it eventually goes to the Select Committee.

The Honourable Member also emphasised the fact that there are at present no training institutions for pharmacists. I suggest that it is the absence of legislation of this nature which is at present an obstacle to the establishment of such training institutions, firstly because there must be some authoritative body which will lay down the standards of training, and secondly because students who are sent to these institutions must have some reasonable assurance that after undergoing the training they will secure employment. That assurance they cannot have until the profession is closed to untrained persons.

There is one more point which the Honourable Member mentioned. He enquired whether the Bill prepared in Bombay has been referred to in the preparation of this Bill. The answer to that is,—yes; it was referred to, and not only the Bombay Bill but also the Bengal Bill prepared by a committee under the chairmanship of Sir R. N. Chopra, and a Bill prepared by the Indian

Pharmaceutical Association. And I should like to take this opportunity to acknowledge the public service done by all those who were associated with the preparation of these various drafts.

Sir, while making the motion for reference to Select Committee I said that Government would have no objection to circulation if there was a general desire in the House that that course should be adopted. And as there is apparently a general feeling that it is desirable to circulate it, Government will have no objection to either of the two amendments which are before the House.

Mr. Leslie Gwilt: Sir, may I inquire of the Honourable Member which of the two amendments he proposes to accept?

Mr. President: He said he was prepared to accept either of the two.

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgris: Muhammadan): Sir, may I say something to explain the difference between the two?

Mr. President: The difference is of two months, as far as I can see. One gives the date 30th April, the other gives 30th June.

Haji Abdus Sattar Haji Ishaq Seth: There is some difference between the two and I want to explain it in brief.

Mr. President: That will be making a speech, which cannot be allowed. The difference is clear. I propose to put first the amendment of Mr. Haroon Jaffer.

The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the end of June 1946."

The motion was adopted.

Mr. President: The other amendment does not servive now.

OILSEEDS COMMITTEE BILL.

Sir Pherozе Kharegat (Secretary, Agriculture Department): Sir, I move:

"That the Bill to provide for the creation of a fund to be expended by a Committee specially constituted for the improvement and development of the cultivation and marketing of oilseeds and of the production, manufacture and marketing of oilseed products, be taken into consideration."

This Bill was brought up before the previous Assembly nearly a year ago. It was referred by it to a Select Committee which went into the matter in great detail, and I would like to take advantage of this opportunity to express my gratitude to the members of the Select Committee for all the work that they put in in this connection. The Bill as it has emerged from the Select Committee is considerably improved and it is that Bill which is now being brought up before the House, substantially as it emerged from the Select Committee. For the benefit of the new Members of the House, however, I may explain one or two points and deal with certain difficulties that have been raised in this connection. The Bill is intended to promote the cultivation and the marketing of oilseeds and their products. The total production of oilseeds in India is of the order of 4½ million tons, which may be valued at 175 crores of rupees per year; and that is excluding cotton seed which totals about 1½ million tons a year and the value of which is another 25 crores a year. So the total value of the production of oilseeds is in the neighbourhood of 200 crores a year; and it is but right and proper that a crop of this magnitude should receive adequate attention and its development should be attended to adequately.

Now, Sir, a fear has been expressed by my Honourable friend Mr. Ayyangar that if attention is paid to oilseeds it may have an adverse effect on food production. I can assure the House that this is not likely to happen. The aim of the Committee will be not to increase the acreage under oilseeds but to increase the production per acre and the oil content; and it is to these matters that the Committee will devote special attention. In this connection I may also point out that it is absolutely essential to increase our production of fats and oils. We know that there is an acute shortage and the production of fats and oils needs to be increased by something like 250 per cent. in order to meet the needs

[Sir Pheroze Kharegat]

of the country. Nevertheless what is happening at present because of lack of adequate guidance may be illustrated from a communication I received only a few days ago. One province has solemnly suggested that it should take up work on the utilisation of mustard oil for industrial purposes. People in Bengal are crying out for mustard oil because it is one of their staple articles of diet, and here is another province which solemnly proposes to go in to use mustard oil for industrial purposes. I am quite certain that if there had been an oil-seeds committee to advise them on the subject such a suggestion would never have been made.

Now, Sir, I come to the next question; and that is the levy of a cess. There are various opinions about that. I know my Honourable friend Prof. Ranga will suggest that Government should find the money instead of a cess being levied. Well, Sir, Government can only find the money from taxation. What form that tax is to take will depend on Government. And when we have to depend entirely on Government occasions arise when Government give a certain amount of money and then a retrenchment craze starts, and the first thing that is apt to be retrenched is agriculture and grants given to agricultural committees. It is much better from the point of view of everybody if the money is earmarked for the Committee from a special cess levied for the purpose by the legislature. A suggestion has been put forward that the cess should be levied not on manufactures in the country but on exports. The difficulty about that is that our exports are dwindling. Before the war the exports of oilseeds were 13½ lakhs of tons a year; today the exports are just over 3½ lakhs. And if the same process goes on, the figure may drop to practically nothing and if we adopt this method of financing the committee, the risk is that the committee will be bankrupt in the course of the next two or three years. That seems to be the crux of the question.

1 P.M.

The incidence of the cess, I may point out, is negligible. It will be one anna per maund and if you reckon a maund at 12½ rupees (actually it is 15 rupees per maund on an average at present for the oilseeds), it works out at one anna out of 200 annas, i.e., half a per cent., and that half a per cent. will be shared by the producer, by the consumer, by the manufacturer, and by the trader, so that the actual incidence of the Cess on any one group will be negligible.

I may here point out that there is already a cess on exports at more or less the same rate, i.e., at half a per cent *ad valorem*, so that the cess on internal production and the cess on exports will be practically the same. In that connection, Sir, I was asked by an Honourable Member from this House as to what the Council has been doing with this half a per cent. cess which has been levied on oilseeds for the past few years. That cess, which is levied by the Imperial Council of Agricultural Research, is a cess not only on the export of oilseeds but on the export of various other agricultural products and it brings in a sum of between ten and twelve lakhs of rupees per year. Out of this ten to twelve lakhs, the Council has to carry on research on rice, on wheat, on millets, on oilseeds, on pulses, on animal husbandry projects, on fisheries, and so on. So it can be imagined to what extent this amount of ten to twelve lakhs can suffice for attending to all these various important items. Naturally more attention has to be paid to the crops which will give food. Nevertheless I may point out that the Imperial Council has spent quite an appreciable amount of money on financing oilseed schemes. They have financed schemes on the breeding of groundnuts in Madras, rape and mustard in the Punjab, linseed in the Central Provinces, castor in Hyderabad, groundnuts in Mysore, coconuts in Madras, and in addition to that from a fund which was received from His Majesty's Government some years ago, part of which was received by the Imperial Council, they have financed schemes for storage of groundnuts in Madras, and for the control of pests and diseases of the various kinds of oilseeds—groundnuts in Madras, *til* in the United Provinces, brassicae in the Punjab, linseed in the Central Provinces, castor in Hyderabad, and safflower in Bombay. So that I do not think it can be said that the claims of oilseeds have been altogether neglected by the Imperial Council of Agricultural Research.

Now, Sir, I pass on to the next item and that is the constitution of the proposed committee. The objection has been raised that it is too large a body and it will be unwieldy. Sir, there is a great deal of force in that, I admit. On the other hand, the fact is that all these committees work through sub-committees of their own, i.e., the committee appoints a sub-committee for agricultural research, a sub-committee for technological work, a separate sub-committee for marketing work, and so on, and all these sub-committees submit their reports to the main committee which then co-ordinates the whole thing and gives its verdict. So that if the Committee is too small, it might adversely affect the sub-committees' work. Then, again, Sir, the proposal is that one-third of the members should be Government servants, i.e., representatives mainly of provincial departments of Agriculture. They are necessary on a body like this because three-fourths of the work that will be taken up will be in connection with agricultural research and development, and without the help of these agricultural experts this work cannot be taken up. Then again, Sir, one-third of the representation will go to growers. I admit that it might have been an advantage if the representatives of growers could have been elected. But there are no organisations or there are very few of them which can be asked to elect. Moreover in certain provinces there are too many organisations and it is not possible to decide which of them should be given the right to elect. In the circumstances we have had no alternative but to say that the nominations would be made by the Provincial Governments after consulting such organisations of growers as they exist in the provinces. The remaining one-third of the membership of the committee will go to manufacturers, traders and exporters combined. Here again one of our difficulties has been that there are so many of these associations that we have had to resort to nomination by Government so that the nominations from the different associations may first be received and then on the basis of that selections may be made as to the persons who are to be nominated to the committee. There is one important point I would like to mention in connection with these committees: Decisions are not made on the basis of growers or manufacturers or so on. I must have attended or presided over hundreds of meetings in the past few years myself. During the whole of that period the number of cases in which we had to ask for votes could be counted on the fingers of one hand. The decisions of these committees are not taken by votes at all. They meet in a sort of parliament for that particular commodity where they discuss all aspects of the matter, discuss them thoroughly and then in almost all cases they come to unanimous conclusions as to the action to be taken for promoting the welfare of that commodity: and that is the value of these committees—that all the interests are brought together, they meet there, they discuss their common problems and arrive at joint conclusions.

There is little more that I have to say. The Bill has already been before a Select Committee which has gone into the matter in great detail and I was hoping that the Bill as it emerged from the Select Committee would be accepted by the House as it stands. If, however, as I understand there is a demand on the part of the Members that it should be referred to another Select Committee, I have no objection and I shall gladly accept that suggestion.

Sir, I move:

Mr. President: Motion moved:

"That the Bill to provide for the creation of a fund to be expended by a Committee specially constituted for the improvement and development of the cultivation and marketing of oilseeds and of the production, manufacture and marketing of oilseed products be taken into consideration."

There are two groups of amendments: one is that the Bill be circulated for eliciting public opinion and the other group consists of three amendments suggesting different dates by which the Select Committees should report.

I do not find the Honourable Mr. Jaffer who has tabled an amendment that the Bill be circulated for the purpose of eliciting opinion. Will the other Members therefore move their amendments?

May I know one thing from Prof. Ranga. He has put in 15th February

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): I would like the permission of the House to change the date to 25th February.

Mr. President: Then any one of these three may be moved unless there is a difference in the names.

Prof. N. G. Ranga: Sir, I move:

"That the Bill be referred to a Select Committee consisting of Pandit Sri Krishna Dutt Paliwal, Mr. Sasanka Sekhar Sanyal, Mr. B. B. Varma, Dr. G. V. Deshmukh, Sjt. B. S. Hiray, Sri R. Venkatasubba Reddiar, Mr. Muhammad Nauman, Nawab Siddique Ali Khan, Mr. Asghar Ali Khan, Mr. Muhammad Rahmat-ullah, Rai Bahadur D. M. Bhattacharyya, Mr. B. C. A. Cook, Sir Pheroze Kharegat, Mr. E. L. C. Gwilt, and the mover, with instructions to report by Monday, the 25th February, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five"

Mr. President: What about the other amendments?

Mr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): I have no objection to taking all the names suggested by Professor Ranga and also accepting the date. I do not know what the Honourable Member would like, the 20th or the 25th?

Sir Pheroze Kharegat: I am prepared to accept the 25th.

Dr. G. V. Deshmukh: In that case I am happy about it.

Mr. President: Mr. Jaffer is not here again.

Amendment moved:

"That the Bill be referred to a Select Committee consisting of Pandit Sri Krishna Dutt Paliwal, Mr. Sasanka Sekhar Sanyal, Mr B B. Varma, Dr G V Deshmukh, Sjt B S. Hiray, Sri R. Venkatasubba Reddiar, Mr. Muhammad Nauman, Nawab Siddique Ali Khan, Mr. Asghar Ali Khan, Mr. Muhammad Rahmat-ullah, Rai Bahadur D. M Bhattacharyya, Mr. B. C. A. Cook, Sir Pheroze Kharegat, Mr E. L. C Gwilt, and the mover, with instructions to report by Monday, the 25th February, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five"

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Prof. N. G. Ranga: Mr. President, in support of the motion I wish to say a few words. First of all, I wish to say that it is wrong of the Government to try to place the financial burden for all these committees upon the peasants alone. Even if it has to be conceded that peasants too have to bear a portion of this burden, it must be admitted that the general revenues also ought to be expected to contribute their share to these various commodity committees. In no other country, not even in England, which has been committed for a very long time to their laissez faire policy, has such a precedent been established, whereby peasants alone are made to pay for whatever special assistance that is sought to be given to them by Government. It is most necessary that if peasants are to contribute this money and it amounts easily to 50 lakhs per annum, even according to the figures given by my Honourable friend Sir Pheroze Kharegat, it is necessary that the Government should contribute from the general revenues, at least as much more in order to recognise their responsibility, their interest in the welfare of peasants. It may be argued that the general revenues also come from the taxpayers, since peasants are a part of them. It does not therefore make much difference but that is not so. So far as the Provincial Governments are concerned more than three fourths of their revenues are derived from peasants and agricultural workers and most of it through regressive taxation. But when we come to the revenues of the Government of India we find that a good percentage of it comes from the rich people. Therefore it is possible to shift the burden of the Government's grant to any such committee to as great an extent as possible on to the shoulders of the rich and the rich ought to be made to contribute their share to the improvement of the lot of the agriculturists of our country.

Coming to the specific points made by my Honourable friend, Sir Pheroze Kharegat, I wish to say that the representation provided in this proposed committee for peasants is not at all adequate. Sir, their idea of it is wrong, that peasants, traders and governments concerned are to be treated all alike and therefore they are to be given one-third quota for each one of them. It is the peasants who have the major interest in it. They grow the oilseeds and their prosperity or depression depends upon it and this Committee is sought to be constituted in order to raise the status of the growers principally. Where do the traders come in? Where do the merchants for instance, come in? What is the extremely productive function that they discharge except serving as middlemen and why is it that they should be treated on the same footing as the growers themselves? So I am anxious that the growers should be given at least half as much more representation as the traders. Even if it can be contended by Government that the specific representation proposed to be given to various merchant organisations that are named here cannot be reduced or given up, then I suggest that the quantum of representation that they propose to give to the growers must be increased. It means that the total strength of this committee has to be increased. My answer to those who complain against the strength of this committee is this. The Government itself have admitted that these committees are to serve as a sort of quasi parliaments for these crops and those people interested in growing and marketing and the utilisation of these crops. If they are to be parliaments, then they must be sufficiently representative and the numbers of these parliaments do count and it is not necessary that they should be limited to such a number as to make it impossible for them to be sufficiently representative.

Secondly, these parliaments can work through their committees. My Honourable friend has already mentioned certain aspects of it which can be dealt with by sub-committees. There are other aspects also like marketing and the development of co-operative production, co-operative marketing and the organisation, the construction of warehousing, co-operative warehousing and also the departmental warehousing. For all these things the necessary sub-committees can be organised, say out of the members of these parliaments and also from out of those who may be coopted by those sub-committees. Therefore I do not see any fundamental objection to the raising of the total strength of this committee and thus providing a greater percentage of representation to the growers than what is being provided in this.

Then, there is the other thing and that is the manner in which the cess is to be levied It is proposed in this Bill that it should be levied upon all groundnut, that is decorticated in these mills. We wish to make one suggestion and that is, oil alone should be made to pay the cess and not the cake that is separated from it, because oil cake is needed by our agriculturists for manurial purposes and it stands to reason that our peasants ought not to be made to pay this cess upon the oil cake that is extracted from out of their own oilseeds Therefore we are anxious that this cess should be confined to oil and oil cakes should be excluded.

There is a representation proposed to be given to Provincial Governments. I have no objection to this but there is no reason why the same amount of uniform representation ought to be given to all the Provincial Governments irrespective of the fact that larger or smaller areas of groundnut are being represented by these different provinces and Provincial Governments. So I suggest that this also has to be scrutinised by the Select Committee.

Lastly, I am anxious that when these growers come to be represented, a sincere and earnest attempt should be made by Government, Provincial as well as Central, to see that the peasants are encouraged to organise themselves and thus get themselves represented directly through their organisations, and not to depend upon the sweet will and pleasure of the Provincial Governments which will otherwise have the right to nominate any one they like. My honourable friend has said that there are so many organisations and it is so difficult for him or for the Government to make any sort of distinction about the representative

[Prof. N. G. Ranga]

character of various peasant organisations. But he did not find it difficult to make such a distinction as between traders' organisations, and therefore he has already indicated their names and also the proposed representation for them. I do not see any reason why it should be so very impossible for Government to do a similar thing in regard to the peasants organisations.

I hope these points will be kept in mind by the Select Committee and also by the Government and I trust that the Government will go more than half way in trying to meet us in the select committee stage and seeing that this Bill is brought back again at the earliest possible opportunity and passed into law.

Dr. G. V. Deshmukh: Mr. President, a good deal of the difficulty about this Bill has been diminished by the attitude of the Honourable Member in accepting the proposal for the Bill to be sent to the Select Committee. The reasons for sending this Bill to the Select Committee are obvious and I may bring them to the notice of Honourable Members. After all this is a new House: it is a fresh Assembly. It is true that the Bill was considered in all its details by the Select Committee of the old House. Looking at the members of that Select Committee, I find that five of them have written dissenting minutes, and so far as the membership of this House is concerned, I think 50 per cent of them are no more in the House. Therefore these are all reasons why the Bill should be sent to Select Committee; and as in the case of the old Bill, also in the case of this Bill, I may say that our intention in trying to refer this Bill to the select committee should not be misunderstood. There is absolutely no intention on this side of the House to have any delaying tactics at all. Perhaps we may admit that the Honourable Members there may be very anxious in regard to these questions, but we claim that we are no less anxious, if anything, more anxious, to do all we can for the people of our country.

Looking at the aims and objects of this Bill I find that it is for the production and development of the oilseeds and also of the marketing of the oilseeds. I am very glad that the Honourable Member has drawn the attention of this House to the importance of this question. After all, when you compare this question of oilseeds—and as I mentioned the other day also the case of drugs—if you compare these questions with the other financial and economic questions which make so much noise in the Assembly at the present time, you will find that these questions are of far greater and very much more vital importance than the other questions which make a good deal of noise. The Honourable Member today told us . . . . . .

Sjt. N. V. Gadgil (Bombay Central Divisions: Non-Muhammadan Rural): Coins naturally make more noise!

Dr. G. V. Deshmukh: Yes; it is very small compared with the noise that coins make, whether it is Bretton Woods or something else. Under the circumstances I think that the members of the House are not doing a wrong thing in drawing the attention of the House to these questions, whether it is of drugs or oilseeds or any other vital question which involves the health of this country: and not only this House, I find that the members also of the Press cannot be absolved from the charge that they also do not realise the relative importance of the subject. However this is not the occasion for me to upset anybody. All I can say is that questions like these which immediately do not look of so much vital importance, but which really if you were to consider, are of far greater importance ought to be given better publicity, not from the point of view of the speakers or the Assembly, because the whole function of discussions in this House or of publishing in the press is to educate public opinion; and I claim that the press is a very important agent in educating public opinion.

Looking at the aims and objects of this Bill I certainly think that having a cess committee and producing the finance for this kind of a Bill is absolutely an attempt in the right direction. How the finance is to be found is for the Honourable Member and other members of the House to determine.

One defect I find in the constitution of this Bill is with regard to the marketing. I find that on this, different associations and different Governments are nominated for membership on the council; I find that if you want to improve the marketing of this commodity, then you can only do so under the present circumstances by taking the help of the trading associations which are already in existence. I admit that they may not be in a very perfect condition; but on the other hand, when you are introducing this Bill and when you are passing this Bill, if you give encouragement to the trading associations in sending their elected members, I think you would have gone a good way in improving the condition of this Bill. To illustrate what I mean, in Bombay we have the Seed Traders Association. I am certainly interested in this association, for this reason that it happens to be my constituency as well. This Seed Traders Association, if you look at the reports from the department on the Groundnuts Committee report or the Linseed report, we find that the report itself pays a proper compliment to this body, and says that what with futures and hedge contract and all that, the influence of this association has been to stabilise the conditions in the oilseeds market. The report also acknowledges that the Seed Traders Association is the only organised body so far as they know and their regulations and rules are very good. In spite of that and the avowed object of this Bill being also the marketing of oilseeds, I find no nominee, nobody from that Seed Traders Association, who could come to this committee directly. I should therefore request the Honourable Member to take these trading associations into consideration and give them proper representation.

Another thing that I should certainly like to draw the attention of the House to is with regard to the value of these oilseeds as foods. After all our attention is only drawn to the fact that the internal trade in oilseeds is about 2 crores and the exports come to 5 or 10 crores . . . . . .

Sri M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Of rupees?

Dr. G. V. Deshmukh: Yes. Besides that, at the present time we have to take into consideration the fact that these seeds have a food value. It is astonishing that our attention has been concentrated on grains as regards food and whenever we have a discussion about food shortage we all seem to concentrate our attention on this that we have not got sufficient quantity of foodgrains and there is a deficit and let us go to America to beg for foodgrains. But my charge against the Government as well as the Agriculture and Food Department has been and is that there are such things as protective foods and that supposing we have a sufficient supply, not of foodgrains but what you call the protective foods—and groundnuts comes under that classification of protective foods—today we would not be looking askance at the position that is going to arrive after two or three months. Today we would not be in a panic about famine overcoming us. Today we would not be going about begging for food from America. Today the Food Secretary would not be getting all these disappointing replies about foodstuffs.

Now, Sir, the average food of an Indian valued in calories and vital contents is hardly 2 per cent. in fats and that is why you see our people so under nourished and suffering from lack of vitality. On the other hand look at the diet of an average European or the average diet of a healthy race. You will find not less than 15 to 20 per cent. of calories is made up of fats. I am not now talking merely from the commercial point of view. I am now talking from the point of view of the health of the race. If we can double or quadruple the quantity of ground nuts and linseed that we grow, we should certainly try to do so. If you concentrate merely on paper and say that have increased your fallow area by 7 millions and got a reserve of 50,000 tons it means nothing.

It has always been a surprise to me as to why we did not concentrate with regard to our food supply in so far as the production is concerned and I think that with proper utilisation of water and proper utilisation of manure our production could easily have been doubled or trebled and to that extent the problem of food in this country could have been solved. Unfortunately this has not been

[Dr. G. V. Deshmukh]

done. The nutritive value of groundnuts is very great. I had a talk with nutritional friends in Bombay and they assure me that with a little care in shelling, a good deal of it which now goes as food for cattle such as seed cakes could be utilised for human consumption. I am not talking of special experts. Those who are conversant with the subject and are in touch with public opinion have assured me on this point and I should request the Honourable Member to look at this from that point of view as well. The quality of the seeds should be improved certainly. The marketing conditions should also be improved. I hope the Agricultural Department and if possible the Food Department will do all they can specially in the coming months in the places where food can be easily grown and where water is now allowed to go to waste. You, Sir, have seen how in our presidency hydro-electric water from Khandala Ghat goes to waste, without being utilised for the production of foodstuffs in this country. It is not that the Government's attention has not been drawn to this. If I remember rightly, something like 3 years have already passed and yet nothing has been done. I do not know whether all this is kept waiting for the post war period. Anyway, I hope that the looming famine conditions will wake us to our situation.

I therefore ask the Member in charge to take note of the points I have raised in my cursory discussion of the subject. I hope they will attempt not only to produce a better quality of seed but more plentiful seeds. I do not care so much about exports as the nutrition of the people and I hope that trading associations like the Seed Traders Association of Bombay will be given proper representation on this Committee and thus fulfil a very useful purpose.

Mr. Leslie Gwilt: I am surprised at the opening remarks of my friend Dr. Deshmukh, because if I understood the remarks of the Honourable the Mover he was prepared to accept the motion for Select Committee.

When this motion came before the House during the last session I was a member of the Select Committee and in the remarks that I made when the motion for reference to a Select Committee was moved I made one or two points and there was one which I feel has not been dealt with as adequately as it might have been. The point was that the case which the Bill seeks to provide should also be levied upon the oil entering British India from the Indian States. The Honourable Member who was then in charge of the Bill, when replying to the debate, in his stride, as it were, said that he felt that the machinery that would be necessary for the imposition of such a cess would be out of proportion to the amount of revenue that would be raised. Well, Sir, he may be correct but I would like to hear from the Honourable Member now in charge of the Bill whether in the meantime Government have had an opportunity of studying that particular point and what are their findings. If my information is correct, ground nut oil that is produced in Kathiawar and the Nizam States alone amount to some 55 thousand tons and here I should say that in order to produce 55,000 tons of oil it is necessary to crush 140,000 tons of ground nuts and an octroi duty or cess of one anna a pound on the ground nuts crushed or Rs. 4-4-0 per ton of oil would yield 2,35,000 rupees from those two States alone. If all other States and all other kinds of oil seeds crushed are taken into account I submit that there would be a very substantial recovery and I would like to hear from the Honourable Member if the machinery is going to cost more than the amount of cess likely to be recovered, if my figures are correct.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa Muhammadan): I do not propose to take up much of the time of the House. I support the motion for Select Committee. The Bill was already referred to a Select Committee in the last session when we were here. Now that committee will have an opportunity to discuss things more fully and give their points of view. I certainly support the view which has been expressed by the last speaker Mr. Gwilt that the Government should take into consideration whether it would be advisable or not to levy a cess on the oil entering

3 P.M.

British India from the different States because according to his calculation, it may be a substantial amount in the neighbourhood of six to seven lakhs. At the moment, of course, the incidence of taxation which is proposed is not big enough according to the Honourable Member in charge and I agree with him. The whole question which we have got to examine is whether this cess and the working of this system is in the interest of the growers or not. We have got to give an impetus to the growers and we do not want to subject them to any such taxation, which although the rate may be small, yet the paraphernalia of staff, etc., to which the Government officials have been used to might cause a certain amount of harassment and this may alienate the growers from their impetus for larger production. That is one point which has got to be very seriously considered. My feelings at the moment are that the cess on export should be increased rather than the cess levied on growers to meet the expenses. I also urge that no part of the duty which Government raise as income from that source for the development of which the Government propose to establish this Department should be utilised on the department; on the other hand the general exchequer should be able to bear this paltry sum which it is receiving, about 12 lakhs as contribution for this particular item. There is no reason why the growers should be taxed to any extent. I am not opposing the incidence of tax, but I am opposing the principle of taxation on the growers in this particular state. With these words, I support the motion for referring the Bill to the Select Committee and I would be glad to hear the Government on this issue that we have raised in the House at the moment.

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I welcome this measure, but not the Bill as it is before the House. This was embodied in the Oil Seeds Committee in 1944 and the idea originated that a special committee for oil seeds is to be constituted and special legislation should be brought before the House. In pursuance of this, this Bill has come before the House. The Honourable Member in charge of the measure has said that the aim is to increase production and to increase the oil contents in the oil seeds. But he does not say whether the increased production or the increase in the oil contents will go to the benefit of the producer. He made no specific or definite statement with regard to that. Increased production of the quantity and oil contents are not always going hand in hand with increased remuneration to the producer of the oil seeds, and on that point I should like to have some explanation from the Honourable Member in charge. I am indebted to my Honourable friend Dr Deshmukh for having made plain the fact that ground nut which is the main produce of the presidency from which I hail is useful as food. My friend has explained that it contains fat to such an extent that it can be substituted as one of the substances which are necessary to afford the necessary calories for human beings. It is not only that, ground nut serves as food for human beings. It is also of great help to the cultivators, the agriculturists. The cake which is obtained from the ground nuts is used as manure for growing other crops. It is for growing this very same ground nut crop, castor crop, these oil cakes which are obtained from these seeds are used as manure. Even from that point of view this ground nut cultivation ought to be encouraged by the Government.

Now, Sir, about the cess which is sought to be imposed and which has been referred to by previous speakers, it is a common feature that for anything the agriculturist is taxed. He is not only paying land revenue, he is paying so many other cesses. Educational cess at the rate of ten pies or even one anna in several districts of my Province is being collected from him. Road cess is being collected from him. There are so many other cesses, and add to it, now there is a special cess now proposed on every maund of ground nut which is to be crushed in a mill. We know that at the time these cesses are sought to be imposed, the explanation given is that it will not affect the producer. The same thing was said in several provinces when the Sales Tax was levied, that it will not affect the producer, that it will not affect the consumer, but that it will affect only the middleman. Now we know from experience of the working of this

[Sri R. Venkatasubba Reddiar]

measure that it hits the poor man most. It is the poor man that is bearing this burden most. It will eventually be cut down from the price offered to the producer by the miller. So, I suggest that if it is possible, this levy on the crushing industry should be removed and some other means found out to get this fund for the committee. I would have been glad if the Honourable Member had given us the income that he anticipates from this cess, also the amount that is necessary to defray the expenses of this committee which is to function under this Bill. About the constitution, my Honourable friend Prof. Ranga has laid special stress on the representation which is sought to be given to the producers. I join with him in his plea for more representation on behalf of producers. Unless the voice of the producer is heard and he is made to benefit, there is no use passing any number of measures or making all sorts of propaganda because all these efforts, like the grow more food campaign, will fall flat and bound to fail unless the committee and other organisations take it into their head to make the cultivation of any crop paying to the producer. With these words, I support the motion for referring the Bill to the Select Committee.

Sri M. Ananthasayanam Ayyangar: Sir, I am opposed to the very principle of the Bill, and it is for this reason, that an impetus is sought to be given to the export trade of raw materials. That has been our bane. We are now trying to impose additional cess on all oil pressed in the mills in this country, not in private mills but in power mills. That will mean that the export of raw oil seeds would be encouraged in preference to utilising them for various purposes in this country. That is my first objection. My own feeling is that there ought to be no encouragement of any kind to export any of our raw produce except such as are not wanted in this country. And even with respect to jute and other such produce which are commercial and which are paying us large sums of money, I submit that they ought not to be sent in a raw condition but sent in a manufactured form. We have a practical monopoly in this country of oilseeds, jutes and hides and skins and the rest of the world has to depend on us for them. Why should we not improve the industries of this country and provide employment for millions of men who are starving and hungering every day. The same old thing is still continuing and this is another weapon in the hands of foreign persons to exploit our produce in this country. I am therefore quite opposed to this measure in toto.

Another aspect of this question is this. I have my own feeling that we are trying to produce various sorts of things in this country to the prejudice of growth of foodgrains which are absolutely necessary. We are deficient in foodgrains. Rice is too small, and even before the war we had not enough rice in this country and had to import rice from Burma; wheat also was being imported from Australia. In these circumstances what is the object of giving an impetus to the growth of further production of oilseeds in this country to the prejudice of the growth of foodgrains? Oilseeds may be in addition to the food but it can never take the place of foodgrains.

My third objection is this. Coming to the representation that is suggested in this Bill, encouragement ought to be given to start growers' societies in various districts. There must be taluka societies, district societies, provincial organisations and a central apex organisation. Nominations I am dead opposed to. The suggestion was made by the previous conference of oilseed growers as early as 1944. When the Bill was framed thereafter and went to the Select Committee, members wrote minutes of dissent suggesting that various organisations should be brought up and encouraged by Government either by way of cooperative enterprise or individuals must join into organisations so that they may send their representatives instead of representatives being chosen by Government by nomination. That must be insisted on with respect to growers of oilseeds.

Lastly, I submit that on another ground also I do not think that the measure is necessary. If it is intended for the encouragement of research on oilseeds and the growth of a kind of standardisation of oilseeds, I will say that already

there are other institutions for that purpose. The Imperial Council of Agricultural Research is devoted mainly to this policy. There are similar research institutions in various parts of this country. Subsidies may be given from the Government of India. A portion of the money which the taxpayer already pays to the general funds in various shapes and forms may be spent for this, and an extra burden should not be imposed. On that ground also I am opposed to the principle of the Bill. But if there is a general concensus of opinion in its favour I do not want to stand in its way. For everything there is a general tendency to set up a committee, a committee which may consist of 50 persons from all over the country. This committee will swallow up whatever is raised by way of taxation from this cess. I know how these committees work. I have seen members with one foot in Delhi—if this is the meeting place—and another foot in the train. If they come by the morning train they make arrangements to leave by the evening train. In these circumstances this is absolutely unnecessary. No doubt the Honourable Member who has moved it may think that it is a feather in his cap because it is a convention to have various committees formed by the various members on the Treasury Benches. No doubt this will be only another such committee. In any case I submit that instead of imposing a cess a tax should be imposed on exported articles.

Sir, whatever the decision of the House may be, I am personally opposed to the Bill; but if it is referred to a Select Committee I hope these matters will be taken into consideration.

Sardar Sampuran Singh (West Punjab Sikh): Sir, I am afraid the object of this Bill seems to have been misunderstood to a certain extent. I rather congratulate the Government on bringing forward this Bill because it was very badly needed. The cultivation of oilseeds throughout the country is very haphazard and there has been no improvement either in the matter of seed or in the method of sowing it almost ever since the Agriculture Departments in the various provinces were set up. This is a very neglected sideline of agriculture and it is a crop which brings money to the agriculturist. I will take the analogy of the Central Cotton Committee of India which has done very useful work for the agriculturist. It is mainly due to the research done by that institution that we are having so much of long-staple or at least medium-staple cotton in this country. In the same way if this committee is started it is immaterial whether the money comes from the cess or from the pockets of Government. It is for Government to arrange; and if we can manage to get the money from the pockets of Government, well and good. But that is a question of detail which we can discuss when we discuss the various provisions of the Bill itself. But for the present we must admit that this is a measure which is very much required and it will add to the wealth of the country. We should not postpone it or deal with it in such a way that we take another year or two in passing it through the House. You have seen in the Statement of Objects and Reasons that it has been already pending for one or two years and if we delay it by circulating it for public opinion or for other reasons it will take another year or two again. This is a measure which we should try to adopt as soon as possible because its utility is admitted on all sides. No doubt it is true that there are other things like wheat and rice on which we still require research work; but that does not mean that oilseeds should be neglected.

Sir, I suggest that if the Bill should be sent to Select Committee the report should be submitted at an early date so that the Bill may be passed into law during this session.

Mr. Madandhari Singh (Bihar and Orissa: Landholders): Sir, I am not going to associate myself with my Honourable friend Sardar Sampuran Singh who spoke last on congratulating Government on this Bill. So far as I have considered the Bill I think it is not going to help the agriculturists. What have the Departments of Agriculture done so far to help the agriculturists? So far

[Mr. Madandhari Singh.]

as I know in my own province, the department has done nothing and agriculture is being done in the same way as was done two hundred years ago. They have not been benefited at all by this Department and so I associate my self with my Honourable friend Mr. Ayyangar.

There are two aspects of this Bill. First is the production of oilseeds. When the Agriculture Department has done nothing as yet to improve agriculture, I do not see how this law or this Committee will give relief to the agriculturists. In one way or other this cess is going to be a burden on the agriculturists.

Then, Sir, I find that the Bill is intended to help marketing. I do not understand how marketing can be facilitated when the villages are not connected by roads. For about six months in the year it is very difficult to go to any village; after the monsoon starts right up to November one cannot go to any village. Therefore I think that the agriculturist will not in any way be helped by this Bill. Marketing can be improved only if the Government takes upon itself the task of constructing village roads. I do not understand how they can improve marketing facilities otherwise, and I think it will be a burden on the agriculturist.

In my area, Sir, the rate of canal tax is very high. The agriculturist wants that rate be reduced and it should be reduced. But on the other hand I find that under this Bill the burden on the agriculturist is going to be increased. With these few words, Sir, I associate myself with the remarks made by my Honourable friend, Mr. Ayyangar.

Sir Pherozе Kharegat: I have already accepted the reference to the Select Committee, and so there is perhaps no need for me to say very much. But I would like to make it quite clear that this Committee is definitely going to help the agriculturists of India because, as I explained earlier this morning, by its efforts it will succeed in producing more oilseeds per acre, and that increased production will mean increased income to the agriculturist. Again, it will produce oilseeds which have a higher oil content and we know from experience that manufacturers and traders are prepared to pay a considerably higher price for oilseeds which contain a larger proportion of oil. Therefore from that point of view too the producer will gain by getting a higher price for what he produces and by producing more than what he does at present.

I am sorry my Honourable friend, Mr. Ayyangar, was probably not in the House when I spoke this morning because several of the points that he had raised now had been dealt with by me in my earlier speech. I had explained then that our exports of oilseeds have already dropped from 13½ lakhs of tons to 3½ lakhs of tons and our policy is—it is the accepted policy of Government—to try and reduce these exports to the minimum and, if necessary, only to export the oil rather than the oilseeds. I also made it quite clear that there is no intention whatsoever of competing with foodgrains. The idea is to increase the production per acre and not to increase the acreage under oilseeds.

As regards the method by which the cess is to be levied I take it that will be discussed in detail by the Select Committee and I need not therefore go into the matter at present.

The only point I may make clear here is that the burden of the cess is not going to fall on the producer; particularly if the cess is going to be levied on the oil then there is no reason for supposing that the producer will have to bear most of the burden. How it will be distributed amongst the various interests, I cannot say.

As regards the constitution of the committee, there again the suggestion that there should be a representative of the seed traders association and other such matters, will be gone into, I think, by the Select Committee.

The question of the States is much more difficult because we have no jurisdiction over the States, but what we are hoping is that when the Act is passed,

Hyderabad and the other States which are large producers will levy a corresponding duty which will be made over to the Committee. The main areas concerned are Hyderabad and the Bombay States—*i.e.* Kathiawar. So far as these States are concerned, they are responsible for more than 90 per cent. of the production in the States.

My Honourable friend, Dr. Deshmukh, suggested that the production should be increased. I have got the figures here before me which show that the production of oilseeds which was 4·1 million tons in 1938-39 has increased to 4·5 million tons already, that is, by 10 per cent. His suggestion that the cake should be used as a food for human beings has been examined by the Nutrition Experts and they have advised against it, though we are aware of the fact that there are certain other experts who consider that this cake, if suitably treated, is suitable as human food. On the other hand, as I have just said, there are others who consider that it is not worthwhile using the cake for human beings. So far as the groundnuts themselves are concerned, everyone agrees that taken in moderation they are an extremely valuable addition to the normal diet.

The other points that were raised about general improvement of agriculture and the construction of roads and so on, I am afraid I cannot deal with, because it will take too long. I could talk for hours on what the Government have done and are doing, but this is perhaps not the time nor the place for that.

I think, Sir, that covers all the points that have been raised.

Mr. Leslie Gwilt: My Honourable friend made no reference to the point which I raised, and I suggest it is important.

Sir Pheroze Kharegat: I thought I said that the point will be looked into after this Bill has been passed, and we will try and prevail on the States to adopt similar measures and introduce a similar cess.

Mr. R. C. Morris (Madras: European): What happened to the funds raised hitherto?

Sir Pheroze Kharegat: Here again it is unfortunate that the Honourable Member was not present this morning when I spoke. I gave a full account of the money that was spent. I think I pointed out that so far as the Cess is concerned, which goes to the Imperial Council, it comes to about 10/12 lakhs a year which has been used on research on rice, on wheat, on millets, on pulses, on oil-seeds, on animal husbandry, on fisheries and so on. A reasonable portion of that amount has been spent in connection with the breeding of better varieties of ground-nuts, of *til*, of mustard, of linseed, and of safflower. We have also given money which was obtained from H. M. G. as a gift in 1941 or thereabouts. That portion of it which was allotted to the I. C. A. R. has been used for the improvement and storage of ground nuts and for research work on controlling pests and diseases of the various oil-seeds which I have mentioned.

Mr. President: The question is:

"That the Bill be referred to a Select Committee consisting of Pandit Sri Krishna Dutt Paliwal, Mr. Sasanka Sekhar Sanyal, Mr. B. B. Varma, Dr. G. V. Deshmukh, Sjt. B. S. Hiray, Sri R. Venkatasubba Reddiar, Mr. Muhammad Nauman, Nawab Siddique Ali Khan, Mr. Asghar Ali Khan, Mr. Muhammad Rahmat-ullah, Rai Bahadur D. M. Bhattacharyya, Mr. B. C. A. Cook, Sir Pheroze Kharegat, Mr. E. L. C. Gwilt, and the mover, with instructions to report by Monday, the 25th February, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

The Honourable Sir Asoka Roy (Law Member): Sir, I move:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

[Sir Asoka Roy.]

The case for the Bill is briefly explained in the Statement of Objects and Reasons. The Bill had its origin in the representation by the Patna High Court to the effect that it was often desirable in the interests of expeditious disposal of work in a Court of Session that a case or appeal made over to an Additional Sessions Judge should be recalled with a view to its being heard by the Sessions Judge or by another Judge of the Court, that in the existing state of the law any such recall involved a reference to the High Court, and much waste of time resulted. Provincial Governments were consulted on the proposal which has been unanimously supported. I may add that the Bombay High Court has expressed the opinion that the amendment should be made at the earliest opportunity. Sir, the Bill is directed to a mere matter of administrative convenience and raises no question of principle. In the circumstances, I hope that the amendments for the circulation of the Bill and for reference thereof to a Select Committee will not be pressed. Sir, I move:

Mr. President: Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

Mr. Sasanka Sekhar Sanyal (Presidency Division Non-Muhammadan Rural): Without moving my amendment, I would ask your indulgence and that of the House to make certain observations directly connected with the principle behind the proposed amendment of the Government.

The Honourable Sir Asoka Roy: I think I made it clear that the Bill involved no question of principle. It was directed to be a mere matter of administrative convenience.

Mr. President: Order, order.

Mr. Sasanka Sekhar Sanyal: Everything involves questions of principle. My objection to the Bill is not in so far as it goes but my objection is that the Government should have seized this opportunity of enlarging the power of transfer within the meaning of Section 528 and instead of giving the very limited powers to the Sessions Judge the Government ought to have vested the Sessions Judge with all the powers of transfer which are given to the Magistrates under Section 528 of the Criminal Procedure Code. Sir, in this connection I would invite your attention to a portion of the opinion given by an eminent lawyer, and that appears Sir, in part of the literature which was circulated by the Legislative Department in another connection. Mr. N. Barwell, an eminent legal practitioner said:

"It cannot be doubted that the effect of such binding decisions would before long drive the Legislature to remove the present grave defect in the Criminal Procedure Code, in consequence of which as it now stands and it is now used, it is probably the world's worst piece of adjectival law."

It is undoubtedly a piece of legislation which has been very much a source of annoyance to litigants and lawyers.

My short point is this. Both on question of principle and on question of expediency, why does not the Government consider the necessity of investing the Sessions Judge with powers of transfer in general as provided for in Section 528, instead of giving the Sessions Judge power of transfer and withdrawal only in respect of those cases which are before the Additional Sessions Judges. That is my straight point. This involves partly a question of principle and partly a question of expediency. As a question of principle, may I invite your attention to Chapter II of the Criminal Procedure Code? In Chapter II of that Code you will be good enough to find that the classification of Courts is sketched and therefore you find that besides the High Court and the Special Courts, there are the different criminal courts. At the top is the Sessions Judge and at the bottom you find the subordinate Magistrates. In between the two there are the

District Magistrates and the Sub-divisional Magistrates. What is the wisdom in giving general powers of transfer as the Court has done only to District Magistrates and Sub-divisional Magistrates and denying that power to a Sessions Judge which is undoubtedly higher in power and status than these subordinate Magistrates. At the top the High Court has general powers transferred under Section 528. That is as it should be Then, Sir, within the district there is a general power of transfer . . . . . .

Mr. President: Order, order. Though I must admit, not being connected with criminal courts, I do not quite follow the fine distinctions which the Honourable Member is making so far as the subordination of different courts is concerned, it appears to me that the present Bill is restricted only to a small point, and that is that the Sessions Judge and the Additional Sessions Judge being persons practically having concurrent powers, it is not possible for one of them to transfer cases to the other and that is what the Bill seeks to remedy. Am I right there?

The Honourable Sir Asoka Roy: Yes, Sir.

Mr. President: So the scope of the Bill is restricted only to administrative convenience. The other point which the Honourable Member is trying to make out will be a wider point, *viz.*, as to whether the courts shou'd be subordinated to each other and how the powers of transfer may be vested in higher courts. That will be a different issue which, I am afraid, will not come within the scope of the present Bill.

Mr. Sasanka Sekhar Sanyal: Sir, I quite appreciate the observations made by you. To quote yourself, as you said the other day, even when the Bill raises a very restricted issue, yet in order to discuss the merits or demerits of the particular issue, we cannot forget or overlook the necessary and invariable bearing which that particular issue has upon other co-related matters. Even so, I assure you, Sir, that I am not travelling wide in order to drag before the House the various lacunae in the Criminal Procedure Code. I am simply drawing the attention of the House to the unwisdom of bringing the issue in a form which not only does not serve the real purpose but also to a certain extent defeats the very purpose itself. If you will give me a little latitude, even if I go wide of the mark, I would just impress upon the House the point at issue and I want to advise the Honourable the Law Member not to be satisfied with removing a very restricted lacuna when he could have brought in a measure within the very ambit of Sec 528 which would not only serve the purpose in view but will also give larger relief to law itself. Therefore as a matter of general principle or as a general proposition I was drawing your attention to the fact that at the top there is a higher court which should exercise general powers of transfer, then, Sir, below the District Magistrate and the Sub-Divisional Magistrate exercise powers of transfer. These things are covered by Sections 526 and 528—526 exclusively for High Courts and Sec 528 for District and Sub-Divisional Magistrate. I would advise the Honourable the Law Member only to add the words Sessions Judge in the place where District Magistrates and Sub-Divisional Magistrates occur in Sec. 528.

Mr. President: I feel that the Honourable Member has sufficiently made out that point. He wishes to bring to the notice of the House and the Honourable the Law Member the desirability of considering the powers of transfer so far as the sessions judges are concerned. Any further discussion now on that point would be beyond the scope of the present Bill.

Mr. Sansanka Sekhar Sanyal: Not merely on a question of general principle or proposition but also on a question of prudence and expediency, without going into the larger question of Criminal justice or the larger question of the separation of the judiciary from the Executive I will just state only one point and that is this. Always there should be a power given to the sessions judge which will enable him to exercise general powers of supervision upon the magistrates. You know, Sir, that our magistrates are executive judges . . . . .

Mr. President: I am afraid the Honourable Member is going into a very wide field. He has brought to the notice of the House, the desirability of considering the question in its wider aspects and any further discussion now on that question will be, I think, outside the scope of the present Bill.

Mr. Sasanka Sekhar Sanyal: Sir, will I be permitted on the third reading of the Bill . . . . .

Mr. President: What is beyond the scope of the Bill in the first reading is equally beyond the scope of the Bill in its third reading.

Mr. Sasanka Sekhar Sanyal: I understand your difficulty, Sir, but I hope you will also understand my difficulty I will not embarass the House or myself but one thing I would request the Honourable the Law Member to do and that is not to be satisfied with the small amendment now proposed. Let him go ahead, give larger powers to the sessions judge for transfer, because that will serve the cause of justice If the sessions judge has general power of transfer the subordinate courts which are more or less of an executive nature, will always feel that the more judicial judge will interfere with the vagaries of justice and the litigants . . . . . .

Mr. President: Order, order. I do not think I can permit the Honourable Member to go into that aspect of the matter He has sufficiently said about it. Has he any other point with reference to this Bill?

Mr. Sasanka Sekhar Sanyal: No, Sir.

Sri T. V. Satakopachari (Tanjore *cum* Trichinopoly Non-Muhammadan Rural): Sir, I would like to have from the Honourable the Law Member an explanation or some satisfactory reason for adding to his amendment these words:

"At any time before the trial of the case or the hearing of the appeal has commenced before the Additional Sessions Judge"

Those words are superfluous in this respect. You will find that in Sec. 528 all the clauses commence by saying any Sessions Judge may withdraw, any Chief Presidency Magistrate, etc., etc., can withdraw or recall, Provincial Governments may authorise district magistrates . . .

Mr. President: May I point out to the Honourable Member that he will have an opportunity of bringing these points into discussion when we come to clause-by-clause reading stage.

The Honourable Sir Asoka Roy: Sir, I might answer my Honourable friend's point immediately. If he had read the Statement of Objects and Reasons he would have seen that it is made clear that Additional Sessions Judges are not judicially subordinate to the Sessions Judge and that is why it is provided that the recall of the case should take place only before the trial of the case or the hearing of the appeal has commenced before the Additional Sessions Judge. That is the idea.

With regard to my friend Mr Sanyal's point I would only emphasise that this Bill is directed to the purely administrative function of distributing work, that is to say, where the Sessions Judge finds that for some reason or other the day's work in his file or that of an Additional Sessions Judge has fallen through, while another Additional Sessions Judge has more work than he can cope with expeditiously, it will permit the Sessions Judge to recall to his file (for hearing by himself or another judge by re-transfer) a Sessions case or Criminal appeal, the hearing of which has not yet commenced. The idea of adding those words was to make it quite clear that the Additional Sessions Judge will not be made subordinate to the Sessions Judge and that the Sessions Judge's powers were limited The power of recall or transfer could only be exercised before the actual hearing started.

As regards my friend Mr Sanyal's suggestions, I shall examine them with care and consider what action, if any, can be taken.

Mr. President: The question is:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Asoka Roy: Sir, I move:

"That the Bill be passed."

Mr. President: Motion moved:

"That the Bill be passed"

Mr. Sasanka Sekhar Sanyal: Sir, without inflicting a speech in this matter, since the Honourable the Law Member has said that he will consider the ideas expressed by me, I have only to request him to look into the matter at an early date, because being occupied with the administration of criminal law in the interior of the country, my idea is that the entire Criminal Procedure Code requires general overhaul; and the points raised will, I hope, receive the early attention of the Government so that some relief can be available to the litigant public

Mr. President: The question is:

"That the Bill be passed"

The motion was adopted

INSURANCE (AMENDMENT) BILL

PRESENTATION OF REPORT OF SELECT COMMITTEE

The Honourable Sir Asoka Roy (Law Member): Sir, I present the report of the Select Committee on the Bill further to amend the Insurance Act, 1938.

CODE OF CRIMINAL PROCEDURE (SECOND AMENDMENT) BILL

The Honourable Sir Asoka Roy (Law Member): Sir, I move:

"That the Bill further to amend the Code of Criminal Procedure, 1898 (Second Amendment) be taken into consideration"

The genesis of the Bill is explained in the statement of objects and reasons. I have only to add that Provincial Governments and High Courts were consulted on the expediency of undertaking legislation in pursuance of the lead given by their lordships of the Judicial Committee, and that the proposal has received unanimous support. I should have thought myself that this was a Bill which can give rise to no controversy and I hope that the amendment for circulation will not be pressed. I find on the paper there is an amendment to be moved by Sir, George Spence, which is intended to provide for a case which has been dealt with by the Federal Court on appeal from a High Court. The amendment fills up a lacuna in the Bill and is acceptable to me. Sir, I move

Mr. President: Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1898 (Second Amendment) be taken into consideration"

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Sir, I will not move my amendment, but with your permission I will just bring one matter to the attention of the Law Member for such relief as he can bring in this matter at an early date. The question relates to the case of an appeal which was considered by their lordships of the Privy Council and so far as the Honourable the Law Member has attempted to fall in line with their observations, I have nothing to say by way of objection. But may I remind the Honourable the Law Member that the statutory provisions of bail are defeated even by the courts themselves and we have to guard ourselves against that? Even last year there was an Amendment Act by this House and there section 426, relating to bail, was amended by section 3 of Act II of 1945: it was there laid down that when any person other than the person accused of a non-bailable offence is sentenced to imprisonment by a court and an appeal lies from that sentence, the very court sentencing him may give him bail forthwith. That is a very welcome provision because in ordinary cases of sentence of imprisonment it

[Mr. Sasanka Sekhar Sanyal]

is not desirable that the man should have to go to jail and then be given bail. But do you know how the courts defeat the legislature? The courts give a sentence of imprisonment and an additional sentence of ten rupees fine and then the law says that bail is not available because this legislature has laid down that when a person accused of a non-bailable offence is sentenced to imprisonment by a court, imprisonment is one thing and imprisonment plus fine is another. Therefore the convicting court which was allowed to give bail to an accused who has been sentenced to imprisonment cannot give bail if there is a sentence of bail plus fine. That is how the purpose of the legislature is defeated.

To illustrate it by another example. My honourable friend would consider the provisions of section 388 of the Criminal Procedure Code: there it lays down that when there is a sentence of fine, instead of issuing warrant or giving an alternative sentence of imprisonment the court could give time for payment of the fine. But it is very well known that die-hard courts do inflict a sentence of imprisonment and fine; and so far as the sentence of imprisonment is concerned, if it is for one day, before bail can be had from the district magistrate it is usually turned down; and so far as the question of fine is concerned the law does not apply because it was a case where there was a sentence of fine and imprisonment; but it could not be applied and when there is both, on this principle this section which was introduced into the law last year has been flagrantly flouted in many places. I am speaking from my own experience as a humble lawyer in the interior of the country. I would again ask the Honourable the Law Member to take a comprehensive view of the Criminal Procedure Code. It is a very badly administered law, and the bad and reactionary courts have made it worse. Therefore something should be done to remedy this

Mr. President: The question is

"That the Bill further to amend the Code of Criminal Procedure, 1898 (Second Amendment), be taken into consideration"

The motion was adopted

Mr. President: Clause 2

Sir George Spence (Secretary, Legislative Department): Sir, I move:

"That in clause 2 of the Bill in the proposed new sub-section (2B) after the word 'maintained' the following be inserted namely

'or has been granted leave to appeal to His Majesty in Council against an order of the Federal Court on an appeal from the High Court involving the imposition or maintenance of a sentence'."

The Honourable the Law Member has already indicated the purpose of this amendment and I do not think I need say anything further. I move.

Mr. President: The question is:

"That in clause 2 of the Bill in the proposed new sub-section (2B) after the word 'maintained' the following be inserted, namely

'or has been granted leave to appeal to His Majesty in Council against an order of the Federal Court on an appeal from the High Court involving the imposition or maintenance of a sentence'."

The motion was adopted.

Mr. President: The question is:

"That clause 2, as amended stand part of the Bill."

The motion was adopted

Clause 2, as amended, was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Asoka Roy: Sir, I move:

"That the Bill, as amended, be passed."

Mr. President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

INDISCRIMINATE ARREST OF MUSLIM LEAGUE WORKERS AND OTHER DEMONSTRATORS AND WANTON USE OF HANDCUFFS AND CHAINS BY THE DELHI POLICE

The Honourable Sir John Thorne (Home Member): I understood you expected me to make a statement at this stage on what has happened in this case.

I have made inquiries and I find that the 37 people who were arrested have been chalaned, as the local phrase goes, in the court of the Additional
4 P.M. District Magistrate. He has taken cognizance of the cases. For his own convenience I gather he has classified them into seven cases and has issued processes and the hearings will begin almost at once. So that, there is no doubt whatever that the cases are *sub judice* and my submission is that no part of this adjournment motion is, in the circumstances, admissible. This morning, I understood you to state the view that if the cases have been taken on the file by a magistrate, the first part of this adjournment referring to the indiscriminate arrest of these people was inadmissible. I am not so clear as to the view you took about the admissibility of the second part of the motion which refers to the wanton use of handcuffs and chains by the Delhi Police but I submit that it would be impossible to go into that part of the motion without prejudicing the cases which have now been taken on file. It will be my argument that the use of handcuffs—no chains were used—was a matter which was obligatory on the Police officers who effected these arrests because the arrested persons by reason of their behaviour and some of them by reason of their character fell within certain categories of a certain police rule. I should be very unwilling indeed to describe the circumstances which bring these people within the wording of this particular police rule which enjoins the use of handcuffs by the police officers who arrested them. I submit therefore that the second part of the motion equally with the first cannot be discussed without prejudice to the cases that have been filed.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): With regard to the cases that have gone to the Court, does the Honourable Member mean that the chalan has been filed and the Court has taken cognisance under certain section and the court has issued processes for the witnesses to come or is it merely that the case has gone to the Court in order to ask for remand, because remand is applied for only when the case is with the police and they want further time for investigation and they are not sure about the offence having been committed? The grant of remand is absolutely different from the Court becoming cognisant of the case. It is only when the police places the case before the Magistrate in order to show that the arrested persons are guilty on account of the evidence that the police have got in their possession that the case becomes *sub judice*.

The next point I would like the Honourable Member to make clear is what section does he say authorises the handcuffing of people.

Mr. President: We may take that point subsequently

Nawabzada Liaquat Ali Khan (Meerut Division: Muhammadan Rural): It would be convenient if the Honourable the Home Member told us what are the charges against these persons and under what provisions of the law these gentlemen have been chalaned.

The Honourable Sir John Thorne: I thought I had made it clear that the circumstances are those which my Honourable friend Sir Muhammad Yamin Khan mentioned as the first category. That is to say, these cases have been taken on file. The magistrate has taken cognizance of them and he has given them certain numbers 14/3 to 20/3. He has issued processes for the hearing of the witnesses and the hearing will begin at once. I submit there is no doubt at all on that. It is not a matter of putting the arrested persons up for remand. They are now before the Court for trial.

As regards my friend the Nawabzada's question, I understand that the charge is under the Defence of India Rule 56 (3) which provides a penalty for action contrary to the substantive part of the rule which requires that processions should not be taken out except in certain circumstances.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): I want to say that the case as yet could not be said to be *sub-judice*. The police have no evidence. The Police are still in the process of manufacturing evidence. They do not know . . . . .

Mr. President: Order, order.

Mr. M. Asaf Ali (Delhi: General): I am only concerned with the last part of the adjournment motion. I recognise that if these cases have been taken cognisance of by, I think, the Additional District Magistrate . . . . .

Mr. President: I should like to have one or two points made clear. So far as the cases are said to be *sub-judice*, I have no doubt in my mind that they are *sub-judice*. Now, the other position is as regards the behaviour of the police in handcuffing and putting chains. That is what the Adjournment Motion says. As the Honourable Member has explained the only question that remains is handcuffing. I appreciate the delicacy of the discussion, but the question is, whatever the police rule may be, the House is entitled to discuss whether it is desirable in cases of this type that the police should handcuff people. That would be the principal issue and to my mind it is an important issue. For that purpose, it is not necessary to refer to this particular case of particular individuals, but it can be generally discussed as to whether in similar circumstances where there is a defiance of a particular order under Rule 56 (3), whether handcuffing and chaining is a proper thing or not. That seems to me to be an important matter. I do realise the delicacy of it. The effect of the whole thing will be that the scope of discussion will be limited only to this aspect and to no other. Has Honourable Member Mr. Nauman got to say anything?

Mr. Muhammad Nauman: I was just saying that I saw them myself with chains and handcuffs. So, if the police has made any report to the contrary it is a lie.

Sir Mohammad Yamin Khan: That has been admitted.

Mr. President: I have made the position of the Chair very clear. Has the Honourable the Home Member got to say anything else?

The Honourable Sir John Thorne: I understood you, Sir, to have admitted the second part of the Motion, and on the point of admissibility, I think I am barred from saying any further. But I am afraid that the matter is not quite so simple as you suggest. The question is not whether some one who offends against sub rule (3) of Rule 56 can be handcuffed or not, but whether a person who behaves in a certain manner after arrest and in certain circumstances can be handcuffed. My fear still is that I may not be able to say what I ought to say on that point without prejudice to the trial of these accused. The police rule which I shall have to quote refers to certain circumstances and certain behaviour. It would normally be my duty to show that the arrested persons fell within the description given in the police rules, and that cannot be done without referring to matters which I should ordinarily be unwilling to refer to with the hearing of the case impending. That is my point, Sir. It is not a question whether people who offend against certain Defence of India Rules should on arrest be handcuffed or not, the question is whether people who after arrest behave in a certain manner with also certain circumstances existing in the immediate environment whether they can be handcuffed or not.

Mr. M. Asaf Ali: That is the allegation.

Mr. President: As I understand the situation, the motion is now principally about handcuffing and the behaviour of the accused prior to the handcuffing. That is not going to be a matter of decision by the court, though I quite appreciate that, it may have some relevancy with reference to the sentence which the court may have in mind. It may be remotely relevant, but this matter of handcuffing practically brings before the House, to my mind, the very rule which gives the police that power and the discussion will be as regards the desirability of having such a rule; whether such a rule applies or does not apply in an individual case will be a different matter. Now that there is an opportunity, it is

better that the House expresses its opinion over this. That is how I look at the proposition. The whole thing is one transaction and therefore, really speaking, I did not divide the motion into one or two parts, though in the morning I said "the second part", but I also said "matter of this motion was one transaction". The fact that there are judicial proceedings instituted restricts the scope of the adjournment motion very much.

Mr. Muhammad Nauman: Sir, I move

"That the Assembly do now adjourn"

Sir, I think Honourable Members are in possession of facts about arrests and I am not going to make any point with regard to them. Information was received by my Party at about 1-30 p.m. yesterday. I went to the *Kotwali* myself to get facts and information. I saw the D. S. P. and wanted to know certain facts.

Mr. President: I would suggest to the Honourable the Home Member to quote the rule so that the House will be in a better position to follow the debate and the arguments also will be more to the point.

The Honourable Sir John Thorne: The Rule is Rule 26(22) of the Punjab Police Rules which are in force in the Delhi Province. I will read the relevant portions.

The marginal note is "conditions in which handcuffs are to be used". The rule reads as follows:

"Every male person falling within the following categories who is to be escorted in police custody and whether under police arrest, remand or trial shall, provided that he appears to be in health and not incapable of offering effective resistance by reason of age be carefully handcuffed on arrest and before removal from any building from which he may be taken after arrest."

[At this stage, Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan).]

Then follows six categories. I am not concerned with (a) to (d). They are not relevant to the present case. Then follows (e). These are persons who under the rule have to be carefully handcuffed. The police officer has no option.

"(e) Persons who are violent, disorderly or obstructive or acting in a manner calculated to provoke popular demonstration.

(f) Persons who are likely to attempt to escape or to commit suicide or to be the object of an attempt at rescue. This rule shall apply whether the prisoners are escorted by road or in a vehicle."

Mr. Muhammad Nauman: Sir, we have now seen the Honourable the Home Member quoting the Punjab police rules. I will only give the House the condition in which I saw these men so arrested and the House can very well judge the circumstances which would at all justify same. Allegations were made that certain processions were taken on 11th and these arrests were made at the residences of those people on the 12th February. All of them are respectable gentlemen holding some responsible position in the League organisation and other public organisations of the country. They did not offer any resistance whatsoever at the time of arrest. In spite of the fact they were willing prisoners, they were handcuffed for the purpose of humiliation. Not only that the police lorry was paraded from one street to another, but rather exhibited everywhere. First of all they were taken to the *Kotwali* and then they were sent to jail by such routes as they thought the procession had passed. This is the position. I saw the D. S. P. of the City and I wanted to know under what rules they were arrested and under whose orders. He said the orders were official and could not be disclosed. I wanted to question these arrested persons whether they had offered resistance and wanted to know from the D. S. P. whether I could meet them; but he told me a lie and said that there was no one in the *Kotwali* then. As soon as I came out of his room next minute I found nine of them coming out of a lorry. Of course I did not speak to them because I thought it might not be liked by the police officer in charge and I did not like to violate any of his methods at that stage. I met many Mussalmans

[Mr. Muhammad Nauman]

outside from whom I made inquiries into the conditions of arrests. They were eye-witnesses to these arrests and I was told by them that no resistance was offered by any one and there could have been no occasion for resistance. They were not arrested in the procession and there was no question of any excitement being created in the public. The police approached them and said they were under arrest and they quietly came in. I was told by those eye-witness that they were not even permitted to go and put on their coats but were told to come as they were dressed. So I will say that the police report that the Home Member has received is false in material facts and there was no question of resistance by any one of them. The D. S. P. did not even give me the approximate number of men arrested till afternoon of yesterday. We do not even know whether today the arrests are being continued. According to the story as given by Government or the police they have been challaned under some section for having taken out a procession on the 11th. But after 24 hours there was an after thought and now they have been arrested and a number of cases are pending against them. I do not want to say anything on the merit of those cases but the House will judge whether there could have been any occasion for resistance when police officers went to them and said that they were under arrest. There was no attempt to escape or make demonstrations which would justify their being put in handcuffs or in chains as the police rules provided according to the Home Member. The Honourable the Home Member said that the police report is that they were not in chains. I myself saw nine of them in handcuffs and in chains. So either the police have told a lie or I am giving a wrong story to the House. This will have to be judged by the House only. Not only that, but the D. S. P. was requested to remove these handcuffs and chains after they were brought at *Kotwali*, but he refused to do so and said these arrested men would have to be like that till they were received in the jail. Of course he said that to others, not to me because I did not make that request, knowing the attitude of the police in India. Among those arrested are people of standing,—the Secretary of the Provincial Muslim League of Delhi, the President of the Delhi Cloth and General Merchants' Associations and other persons who are respected by the public and who cannot be expected to behave in an unruly manner so as to warrant the use of handcuffs and chains. Of course the police have been trained like that and perhaps they cannot distinguish between an unruly and a respectable person. I censure the Government here for training the police to behave in this manner to a public whose servants they are. There is indignation in the country, and particularly in this city, against the methods used by the police and the way in which these people have been humiliated is simply disgraceful. Sir, without referring to the merits of the case I will say that according to the police authorities themselves they took out a procession on the 11th February 1946.

Mr. Deputy President: The Honourable Member need not go into the merits.

Mr. Muhammad Nauman: I censure Government for the cruel and humiliating methods adopted by the police in arresting these respectable persons against whom nothing has so far been known. And the Home Member could not even explain the circumstances in which these people were handcuffed and chained. We are not in possession of the full facts and do not know whether these arrests are still continuing or not. We do not know what the orders of Government are and I hope the Home Member will give us the full picture. These particular cases may be *sub-judice* if they have been brought before a magistrate but if the process of arrests is continuing then the others cannot be *sub-judice*, and I protest against the action of Government in arresting these people. Sir, I move.

Mr. Deputy President: Motion moved:

"That the Assembly do now adjourn."

Mr. M. Asaf Ali: Sir, it is not without great reluctance that I rise to participate in this debate. My reluctance is due to the fact that the scope of the adjournment motion has been reduced to the very minimum, and the subject before the House now is the behaviour of the police in this particular instance, in so far as they handcuffed certain persons whom they took into custody. I should have liked this subject to have been a little wider than that for my purpose today so that I might have gone into not merely the behaviour of the Delhi police on this particular occasion but into the entire mentality of the police in Delhi and elsewhere not only on this but on similar occasions; and I may have had something to say about the manner in which the police treats those who feed, clothe and maintain them for the purpose of maintaining order and not for the purpose of creating disorder. It is my definite conviction that the police in this country, so far from being concerned with maintaining law and order for the citizens and in the interest of the citizens, generally provoke disorder. They create disorder and they behave in a manner which leads to provocation. This is what happens everywhere. It is not only Delhi that we are thinking of, we are thinking of the behaviour of the police all over the country. We know what is happening all over India. They make up their mind and say you shall not pass across this boundary. Dalhousie Square—I am illustrating only—is sacrosanct; all processions can pass all over Calcutta, but they shall not enter the sacred precincts of Dalhousie Square. I ask why should there be any such lines and boundaries drawn by the police and the people prevented from using public roads, people for whom those roads are meant, people whose money has gone to the building of those roads and who are entitled to the use of these roads? Why should they be prevented from proceeding in a particular direction? I give it to you as a sort of illustration, Sir: Outside this very House for days together people were demonstrating, they were shouting, they were angry. Well, all of us were cheerful about it, we walked through them, the crowds were there, they were standing all the time, they made room for you to pass through. Did anything happen? No. Because the police knew that all this was happening right under our nose and if they misbehaved their misbehaviour would be noted, but when the same thing happens elsewhere away from our eyes, when we were not there, the police knew how to misbehave, so that a situation may be created and they may get the credit for maintaining law and order. That is what they have done. I condemn it. I condemn it not merely in Delhi, but I condemn it everywhere.

As for the attitude of the Delhi Police, I hope the House will not call upon me to give a resume of my views on the subject. I have dealt with them for the last 35 years and they have dealt with me for the last 35 years. We know each other full well. I know how their mind works. All I can say about it is that occasionally they are very decent and we have to be thankful to them for exercising great restraint on occasions which give them great provocation. On occasions like this they may have resorted to even more severe methods. You should be thankful that they did not shoot these people. You are talking of handcuffing etc.; we should be grateful that a situation was not created when these people might have been attacked with *lathis* and worse things might have followed. They could have done that. I am perfectly certain that if we were not meeting here, some such events might have happened. I can conceive that these happenings are not entirely beyond possibility.

But, Sir, confining myself to this particular instance, I should just like to ask one question of the Honourable the Home Member: May I know why the Defence of India Rules are being applied to the present situation? When a procession was taken out without securing the permission of the appropriate authorities, it should have been dealt with in the ordinary way. Where do the Defence of India Rules come in?

The Honourable Sir John Thorne: On a point of order. What the Honourable Member is now saying, is this within the scope which was permitted by the Honourable the President?

Mr. Deputy President: The Honourable Member is giving an illustration to show why the Police handcuffed these people. He is only building up his argument on those lines. I am watching very carefully.

Mr. M. Asaf Ali: *I may very respectfully submit to you, Sir, that* I was perfectly within order inasmuch as I was trying to show that the very cause for handcuffing could not possibly have arisen if the Police had not misbehaved By misbehaving they made use of the law which ought never to have been brought out of their armoury, a law which should be treated as obsolete. This was intended for war time; this is not intended for peacetime. They apply a wrong section; they make use of a wrong weapon and then they say 'well, under the circumstances these people were guilty of offences in respect of which perhaps bail could not be granted, or some such thing might be said, and therefore we had to deal with them in a particular way'. I say this was no such occasion The utmost that the Police should have done under the circumstances should have been to leave notices with them, summons with them, that they should appear before a certain Magistrate on a certain day, and left them at that They need not have done anything else

Now, allow me, Sir, to read out the particular part of the provision of the Rules, the Punjab rules—it is very unfortunate that we are still subject to rules made in the Punjab; we have no rules of our own—on which the Police rely I believe they rely in this particular case—on the rule which I am now going to read

"Every male person falling within the following categories, who has to be escorted in police custody, and whether under police arrest, remand or trial, shall, provided that he appears to be in health and not incapable of offering effective resistance by reason of age, be carefully handcuffed on arrest and before removal from any building from which he may be taken after arrest . . "

Under what circumstances? Under the following circumstances

"Persons who are violent disorderly, or obstructive, or acting in a manner calculated to provoke popular demonstration."

Mr. Nauman has given a description of the persons who were handcuffed He has only referred to them Unfortunately I have not got their names before me but if he had mentioned their names I am sure I would have known them Persons whose names have appeared in the press are well known to me and I can say definitely that none of those who are mentioned in the press could possibly have acted in a manner which would have merited the kind of attitude which the Police adopted towards them If they did, it would be a most surprising thing to me. I cannot imagine the Secretary of the League, I cannot imagine the Secretary of the Communist Party—I have known him for years, together—and I cannot imagine those respectable persons to whom reference has been made by Mr. Nauman, to have acted in a manner which might have merited that kind of treatment by the Police. The Police are a very nice people, they can be extremely nice even to these people next day, and they will say that they were working under instructions which were given to them When they meet them, they will say 'we are only servants; it is only for the sake of our belly that we do all these things; when we are asked to misbehave, we misbehave. If we are ordered to behave we behave ' Well, that is why I say I condemn those who issue instructions to them to behave in such a manner that instead of maintaining order they may lead to disorder, because having behaved in that manner, they have led to a situation which has called for a protest This protest may grow. There may be more demonstrations. There may be *lathi* charges. There may be shooting. You never know. Is that the way to maintain law and order? The whole system is rotten to the core. It should be revised and until it is not revised it must be condemned.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): I rise to support the adjournment motion moved by my friend the Honourable Mr. Nauman. I do not know whether Mr. Nauman had any experience of being chained or handcuffed. I have, on more than two occasions. Therefore I have

a right to participate in this debate and more particularly because I was handcuffed just a few yards from this very Assembly building. In 1932 when I was here to make preparations for the special session of the Indian National Congress, I was arrested, handcuffed and made to walk from Kingsway right up to the police station in Parliament Street. I was challaned for being a vagrant. I was paying a decent amount of income-tax. I am, as I was then, a law graduate of the Bombay University. By no stretch of imagination could I be accused of vagrancy. Further, I was pledged to non-violence and I am sure that nobody will accuse me of ever being violent either in my words or action and yet I was handcuffed. I know, Sir, this handcuffing and chaining business is reserved by the police for those who are respectable according to us, those who are patriotic, those who stand up to their self-respect and refuse to be bowed down. Such people are rewarded by handcuffs and chains. Those who want to break the chains of slavery are bound to be chained by this Government. I know certain limits have been imposed on the discussion of this motion. If the Government had not reduced to seven years the sentence of transportation in the case of Capt. Rashid and had released him straight away, there would have been no occasion for demonstrations or processions. If there had been no procession there would have been no breach of Rule 51, and if there had been no breach there would have been no arrest and no handcuffing. *An Honourable Member*: "And no adjournment motion." But I suspect, Sir, that there is some plan in creating trouble all over this country.

The Honourable Sir John Thorne: Quite possibly!

Sjt. N. V. Gadgil: It is not in Delhi alone that such things have happened. It has occurred in Calcutta and tomorrow it may be at Lahore or in any other town.

Mr. M. Asaf Ali: Be careful. Don't tip them!

Sjt. N. V. Gadgil: The point is that all over the pr... the bans against processions and meetings have been removed. In Delhi the ban still continues. I am of that opinion that there are limits to obedience. There are dangers of obedience. If the law has not the general consent of the public and is entirely executed and administered on the strength of arbitrary and coercive powers the Government has, it ceases to have any validity for those against whose opinion and consent it is administered. I therefore consider this banning in Delhi as a challenge to every young man in Delhi and if they went against it all honour to them. After all the king's highway is not the private property of the Government. The public road is a public road and every citizen has a right to use it in such a manner as not to interfere with a similar exercise of rights by other individuals.

It is admitted that on the 11th whatever demonstrations or processions were undertaken passed off peacefully. Nobody was arrested. It cannot be said that they were violent then. The whole thing passed off quietly and in a non-violent manner. If there had been any violence, I am sure there would have been some justification for arrests on the spot, perhaps some justification for handcuffing some of them. But when you agree that nothing happened on the 11th, the day on which the procession and the demonstration took place, where was the necessity for the Government to drag some of them from their houses—that is the information supplied to me.

Mr. Muhammad Nauman: All of them.

Sjt. N. V. Gadgil: The Government, if it was wise in not taking action on the 11th, where was the wisdom on the next day? They could have served them with summons and asked them to appear in a Court of law to answer such charges as the Government in its wisdom framed against them. I submit it was a deliberate attempt to create such an atmosphere that it would ultimately lead to some more demonstrations, some more provocation so that there may be

[Sjt. N. V. Gadgil]

firing and the problem of feeding many mouths may be solved to some extent. *I do not know whether the Food Department is actually co-operating with the Home Department. "Bullets for brickbats", that seems to be the slogan.* The maintenance of law and order means the maintenance of the British Rule. Law means salaaming every European official whom you may meet in the streets, and order means never ask for anything, be satisfied with what you have and what you have not. That seems to be the connotation of law and order with the present Government. We have a different notion of law and order. We have a different philosophy of law; for I maintain that the law gets its validity from its general acceptance by the public. If I did not consent to this law, I have every right to disobey it, otherwise I am not true to my inner self. I therefore justify the breaking of this ban by the students. I cannot justify this Government for not taking action on the 11th if it was necessary but taking it on the 12th. They have been doubly guilty. Unless there is something behind it, there is no explanation for this conduct of the Government. I therefore submit that this handcuffing business, this chaining business was deliberately indulged in in order to create provocation. Where was the necessity for these people being taken from street to street instead of taking them straight from the *Kotwali* to the Delhi Jail where I was for a few weeks. I know the road very well. It goes straight from *police chowki* to the Delhi District Jail. Where was this necessity unless the intention was that the crowds should see them, that the crowds should be provoked and some of the bullets may be used.

So, Mr. Deputy President, I suspect a great design behind all this. It is not merely a matter of handcuffing and chaining. I therefore support the motion for adjournment.

Sir Hassan Suhrawardy (Burdwan and Presidency Divisions, Muhammadan Rural): Sir, the Deputy Leader of the Congress Party and Mr. Gadgil have very clearly set out salient aspects of this matter and I do not think we need go over the same. But I would like the Honourable Member sitting on the Treasury Benches to realise one thing. Why is it that there is this unrest, this bad blood throughout the country. We Indians are law-abiding people. We are as much disgusted with lawlessness as those who are now in charge of law and order. What is the cause of it all? Supposing I see a person who is struggling for his breath and his face is livid and I want to hold him down and give him symptomatic treatment, I am not then a good physician. A good physician should go to the cause, and remove it only then will all the symptoms disappear. What is the cause of all these outbursts, in Bombay, in Calcutta, in Delhi and other places? It is an unmistakable sign that Government such as it is today—by whatever name you may call it—has lost its prestige in the eyes of the people and they want to establish it by terrorising people. The Defence of India Act is brought in operation not against the enemies of India but against Indians themselves. Is it a peace-time law? Has the Indian Penal Code absolutely become a dead letter? Are you unable to treat the situation by ordinary means that you have to take shelter behind such an extraordinary law? If Government think that terrorism and brutality are going to serve the purpose of keeping law and order in this country or make people respect law and order, Sir, I say that they are very much mistaken. I admire the British system of Government, which have brought here a lot of good things, in the sphere of education (however defective, or bad though it may be) and also in the sphere of public health. But you do not get the thanks for it because you always do things in such a way that you look like bad physicians, bad psychologists. You do not understand that manacling, handcuffing, brutality, taking people through the streets handcuffed and humiliating them, provoking people, then shooting them down, are not the methods which are going to help you maintain law and order. I do not remember that I have seen—may be in Ireland I saw once handcuffed people—I have never seen handcuffed people in London . . . . .

Mr. Satya Narayan Sinha (Darbhanga *cum* Saran: Non-Muhammadan): On a point of order, Sir, is the Honourable the Home Member entitled to read newspapers during the course of the debate?

Mr. Deputy President: Not unless the Honourable Member is reading something connected with the motion under discussion.

Sir Hassan Suhrawardy: The Honourable Member seems not to care for what the Indian people's representatives say. They say what does it matter we will do as we have done before. I would very much request the Honourable the Home Member to twist the tail of those people who have erred on the side of vehemence and brutality about punishing which we heard such a lot from Mr Mason. Now when they have the option of treating a situation with patience and understanding, they treat it with brutality. There can be discrimination even in the application of a brutal law. Who gave that order People were arrested in their homes and were not even allowed to put on their coats: they were taken not by the short route (which Mr. Gadgil knows so well) from the *Kotwali* to the place of lockup. Nay, they were paraded through the streets, thus humiliating the Indians thereby proving that Government is all-powerful. A Government which is puffed with pride of power is bound to come to grief. What happened, Sir, not so long ago to the Feuhrer of Germany, who puffed up with pride and insolence tried to ride roughshod over other people? Today the whole world is in trouble, because the poor people are not treated with common human justice and common humanity. Sir these unarmed people in Delhi gave vent to their feelings. Next day you go and catch them You bring the old Defence of India Act Section 56 sub-rule 3 or 4 and then humiliate them. This is a thing which should not be done by the British Government, who have always told us that they had brought *adalat* into the country. They say that they have brought *adalat*, or even justice with no discrimination If that is so, may I ask the Honourable the Law Member what sort of *adalat* is this, that you bring an extraordinary military law from your armoury to fight these poor people? You are simply provoking people. I once again ask the Honourable the Home Member and the Defence Secretary and every other Member sitting on the Treasury Benches (I know some of them are persons of great personal charm) that they will do the best they can to put a stop to this exercise of brute force, and go to the root cause of all this trouble. Let them try to find out why there is so much unrest in the country why there is so much bad blood in the country, why this Government is getting such a bad name I would ask them to treat people with humanity, treat people with consideration understanding human psychology and then you will be where you ought to be . . . . .

Prof. N. G. Ranga (Guntur *cum* Nellore Non-Muhammadan Rural): In England!

Sir Hassan Suhrawardy: If you are prepared to quit India as you say, do not leave us with a bad taste in our mouths

Mr. Nagendranath Mukhopadhyay (Calcutta Suburbs: Non-Muhammadan Urban): Sir just one word. My submission is that I suspect the true policy behind the Government's conduct Mahatma Gandhi has led the nation to non-violence and if people remained non-violent they do not know how to manage it. Whenever they repress non-violent soldiers after sometime they find that they become more vigorous and more powerful. They do not know how to deal with these non-violent soldiers but they know one thing. They know how to deal with violence and so these people by holding the I.N.A. trials by goading these young men to violence they are trying to bring out violence, so that they can deal with it in their way. That is the object with which the Government proceeds. These young men came out of their schools to express their dissatisfaction with the judgment passed upon Rashid Ali. I foresee that after a few days Rashid Ali will be let free and released. There is no doubt about that . . . .

Mr. Deputy President: The Honourable Member must confine himself to handcuffing.

Mr. Nagendranath Mukhopadhyay: I submit that the policy of the Government is suspicious. *In order to goad the nation to violence they have been following this policy.*

The Honourable Sir John Thorne: Sir, I must first make it clear that I was not guilty of the implication of discourtesy which was made against me just now. I was not reading this newspaper with the object of showing indifference to what was going on in the House. On the contrary, being a person of difficult speech and slow mind, I was attempting to familiarise myself with some passages in this paper, which at an appropriate moment I would quote.

Well, Sir, I am afraid I shall bore the House, because coming after some of these exciting and excited speeches I shall confine myself to mere rule and fact and I shall do my best to keep within the very limited scope which has been allowed to the motion. The wording of this part of the motion refers to "the wanton use of handcuffs and chains by the Delhi Police". Now, I understood my friend Mr. Nauman to make a distinction between handcuffs and
5 P.M. chains—there were handcuffs and there were also chains. I should have liked a further explanation of that. I do not think I have ever worn handcuffs myself, but my impression is that there is a cuff on each wrist and there is a chain connecting the two cuffs. If my friend was speaking only of the chain connecting the two cuffs, then, of courses, these people when they were handcuffs also wore chains. But if the suggestion is that in addition to the ordinary type of handcuffs they were in some way fettered for instance, with ankle chains or anything of that sort.

Prof N. G. Ranga: Chain connected with.

Mr. Deputy President: Order, order.

The Honourable Sir John Thorne: My information is.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): We all know what it is.

The Honourable Sir John Thorne: May I continue?

Mr. Deputy President: He is giving his explanation.

Shri Sri Prakasa: Yes, but he has never worn handcuffs. He does not know, we know: the policeman holds the chain between himself and the hand-cuffed prisoner.

Mr. Deputy President: The Honourable Member may continue.

The Honourable Sir John Thorne: I suggest that "chains" is merely a picturesque addition to this motion because clearly if one had a handcuff on each wrist and no chain between them, one would be in no way restricted: one would, in fact, have something on one's wrist which might be used as a deadly weapon. So much for the exact wording of the motion.

Another complaint made was that the action taken by the police was intended to be deliberately humiliating. The suggestion was made that they were handcuffed without good reason and that after being handcuffed they were then paraded about the city—I think that is the word used—by routes which were circuitous and not necessary for getting them to their destination. I see no reason whatever to believe that there was any intention to humiliate the people arrested or that there was any object of parading them about the city. As I understand what happened, these processions took place on Monday, ending up in the evening. The police then investigated the offences alleged to have been committed: they took evidence: they were given the names of a number of people who had taken a prominent part in the alleged offences. Those people belonged to various parts of the city—both New Delhi and Delhi, I believe. They communicated with, I was told, eight police stations within whose limits those people might be found. The persons were arrested within the limits of eight police stations. It was necessary to bring them or most of them to the

Kotwali; I understand that the *Kotwali* in Chandni Chowk is not only in itself a police station—one of the many police stations in the city—but is also the headquarters of a senior officer of the police—I think the Deputy Superintendent of Police—and the investigation was conducted under his superintendence, and it was necessary to bring a number of the arrested persons to the *Kotwali*; although I am told that not all of them were taken there, but some were taken straight to the court. However, I see no reason whatever to believe this imputation that with the object of humiliating these arrested persons they were paraded about the city.

Now, I read to the House earlier this police rule which, I would point out, is not permissive—it is mandatory. "A police officer in charge of a station, if he finds that any person arrested falls within any one or more of these categories, has not to decide for himself whether to use handcuffs or not—he is required to use handcuffs. You may say that it is a bad rule, but that is another matter, and if any one wants to have the rule changed, the method of doing so is not by way of adjournment motion to censure officers who have in fact obeyed the rule and thereby done their duty. My friend, Mr. Asaf Ali, borrowed my copy and read to you bits which I had already read, but I might perhaps read them yet a third time.

An officer in charge who makes an arrest is required to use handcuffs. The prisoners should be carefully handcuffed on arrest and before removal from any building from which he may be taken after arrest. "Persons who are violent"—(Mr. Nauman, I think, said that as a result of his inquiries he found that it was not alleged that any of these people made resistance; it is not my contention that any of these people actually made resistance to arrest or behaved with resistance after they were arrested. "disorderly"—(my information is that a number of these persons were disorderly)—"or acting in a manner calculated to provoke popular demonstration."

That is category (e). Category (f) is "persons who are likely to attempt to escape". I do not think it was supposed that any of these persons was going to attempt to escape. "Or to be the object of an attempt at rescue". I am told that there was in the minds of the police officers some pretty good reason for supposing that the excited crowds who had gathered round the arrested persons might attempt a rescue.

Now, if I may once more take up this paper, without being accused of indifference to the House, I will read you this:

"As the police lorries carrying the handcuffed arrested men entered the Kotwali, the large crowd which had gathered outside shouted "Glory to prisoners of the British". Mr. Anis Hashmy, who was in the lorry escorted by the police, angrily asked the people not to shout like that, but say "Down with British Imperialism" "Release the I. N. A. men" and "Long live the Muslim League". The walls of the Kotwali echoed with tremendous shouts of "Down with British Imperialism", as the arrested Muslim Leaguers and the crowd outside joined in raising this shout."

This might give pleasure to some of my honourable friends, but it cannot be supposed that it gave pleasure to the police who were in the performance of their duty. The men who were carried in these vans were shouting slogans at the top of their voices and attracting the attention of the crowds all along the route. When they came to the *Kotwali* there was a crowd, and I am told quite a big crowd collected and there was a brisk interchange of shouting and I am told—and it seems not impossible—that some of the slogans were by no means as innocuous as those that I have read out. However pleasant that may be to gentlemen who approve of the behaviour of the persons who were arrested, the police were certainly within the terms of these categories of the police rule entitled to use handcuffs, not only entitled but required to do so and I cannot for a moment agree with any condemnation of the police officers who were responsible for these arrests.

Mr. M. Asaf Ali: On a point of information from Sir John Thorne. He was just now referring to the particular rule on which the police relied in this instance. I think the word used is 'should'. You cannot say it is mandatory. It is

[Mr. M. Asaf Ali]

directory. They can use their own discretion on these occasions. It is the same thing as section 46 and section 50 of the Criminal Procedure Code but this goes a little further.

The Honourable Sir John Thorne: My friend is wrong. The word is 'shall'—'Every male person shall be carefully handcuffed'.

I am on rather delicate ground here but my friend Mr. Nauman referred to all these people as respectable persons and persons of standing. I do not want to say a word against any one by name and I certainly must not be understood as making any imputation at all on the gentlemen who have been named in the course of the previous speeches but it is our experience, it is general experience, that when there is a row, the row is by no means left to respectable people to carry on or to persons of standing. Other types will join in and my information is that a number of these people who had to be arrested are not respectable persons but on the contrary are persons with a thoroughly bad record. I do not want to say anything more about it. I should not have mentioned it but for the suggestion that every one of these 37 persons are perfectly respectable men.

Mr. Deputy President: The Honourable Member has two minutes more.

The Honourable Sir John Thorne: I hope not to ask for longer than that. I do not think I have anything more to say except that I have been depressed, I must say, by some of the suggestions made this afternoon—the suggestion that the police or those who are masters of the police are deliberately inciting or deliberately provoking people in order to have a row. (*An Honourable Member*: "Do you doubt it?") I cannot think of a more unworthy imputation on officers who have to maintain public order and I may say that I cannot think of any imputation which is more likely to inflame the minds of people and cause more trouble than the suggestion that on the side of the authorities there is any desire whatever for a row. In these recent days, to my mind, the Delhi police have shown great restraint. They have not attempted to disperse these processions. They waited. They did not interfere with the processions. They waited until they were over. Then in performance of their duty, seeing that these processions were offences, they arrested the persons who were the ring leaders.

Mr. Deputy President: The Honourable Member's time is up.

The Honourable Sir John Thorne: Before sitting down I should like to pay a tribute to some of the responsible Muslim leaders of Delhi, in particular to a gentleman who is, I believe, President of the Delhi Muslim League. I am told that he and some others have used all their influence to prevent the law being broken, that the tail has wagged the dog as the tail is apt to do when feelings run high. His advice was discarded and the regrettable circumstances that have arisen are not the outcome of any deliberate policy of the Provincial League but a sign that some of the persons who were connected with it have outrun the discretion of their leaders.

Nawabzada Liaquat Ali Khan: The Honourable the Home Member towards the end of his speech said that he was glad to know that it was not the policy of the Muslim League to either create any disorder or break the law, but he was under the impression that the demonstrations which took place last Monday were really due to the mischievous activities of a few individuals. There my friend is absolutely wrong. The trouble with this Government is that it is never able to appreciate and understand the real feelings of the people of this country. The demonstration that took place on Monday last was the expression of dissatisfaction and resentment amongst a very large section of the people of Delhi over the sentence passed on Captain Rashid and the keeping of the I. N. A. personnel under detention or under trial. I think the people of Delhi are to be congratulated that they showed great restraint and they did not do anything untoward on the 11th in spite of their feelings running so high and feeling so strongly over the present policy of the Government with regard to the I. N. A.

personnel. I think the Honourable the Home Member must be aware that th Muslim League programme was to have flag hoisting ceremony on that day an hold a public meeting. There was no procession on the programme. It wa really a spontaneous action on the part of some people to have formed them selves into a procession and marched through the streets of Delhi. The fact tha the police did not consider it necessary at any stage to stop these peopl marching in procession shows that the procession was peaceful and there was n obstruction to traffic. The fact that the public meeting passed off peacefully an all the demonstration in that connection passed off peacefully shows that as fa as the civilian population is concerned, it had no intention, no desire to brea the law as such. Therefore, it is regrettable, Mr. Deputy President, that Govern ment, in their anxiety to make a show of their authority should have taken actio the next day, that is the 12th. Sir, the Honourable the Home Member referre to Rule 56(3) of the Defence of India Rules. He told us that these arrests wer made under this Rule. Sub-rule 3 says:

"Any police officer may take such steps and use such force as may be reasonably necessa for securing compliance with any order made under this rule."

The Honourable Sir John Thorne: On a point of personal explanation. had not the Rules by me. I was not referring to sub-rule which my Honourabl friend read out I was referring to the portion of the Defence of India Rule 5(which makes it an offence to do so and so.

Nawabzada Liaquat Ali Khan: It is an offence. I am not saying it is no an offence I understood the Honourable the Home Member to say that h withdraws his reference to sub-rule 3 of Rule 56 because in the beginning he dic mention it and this was under sub-rule 3

The Honourable Sir John Thorne: If my Honourable friend has correctly rea sub-rule 3, I was not referring to sub-rule 3. It was the sub-rule which make it an offence.

Nawabzada Liaquat Ali Khan: Now, Sir, the sub-rule which makes it a offence is this. That is sub-rule 4.

"If any person contravenes any order made under this rule, it shall be punishable wit imprisonment for a term which may extend to three years or with fine or with both."

It is not necessary under this Rule to arrest people, issue warrants of arres and handcuff them and do all sorts of things. As was pointed out by the Deput Leader of the Congress Party, the police could have easily issued summons or if warrant had to be issued, it could have been a bailable warrant. I believe if i was necessary that under the law, a warrant has got to be issued because th punishment is three years or more, then it could have been done. But it show that the action of the police was deliberate and really the action of the police wa to frighten people into submission. To my mind the Government should b wiser by this time and realise that the people of India have now passed the stag when they could be frightened into not doing the right thing. That time i passed. On the contrary, such actions as have been taken by the Delhi polic are likely to arouse public feeling more than help to subside it.

The Honourable the Home Member has in justification of the action of th police in handcuffing these gentlemen stated that outside the *Kotwali* there wa a big crowd that raised various slogans. I think the statement of this fac weakens the argument of my Honourable friend rather than strengthening i because in spite of the fact that there was a big crowd, in spite of the fact tha their leaders were handcuffed and in spite of the fact that people were greatl excited, no untoward incident took place outside the *Kotwali* except shouting o slogans. Therefore it shows that there could have been no justification or an fear in the minds of the police that if they had not handcuffed these persons some terrible catastrophe would have happened. Sir, the Honourable the Hom Member said that according to his information some of these persons are no respectable. He might have told us whether any one of these 37 persons ever brought to the *Kotwali* without handcuffs. Was any one of these 37 person arrested and brought to the *Kotwali* without handcuffs?

The Honourable Sir John Thorne: Some. A few.

Nawabzada Liaquat Ali Khan: How many?

The Honourable Sir John Thorne: I do not know.

Shri Sri Prakasa: There were not sufficient handcuffs.

Nawabzada Liaquat Ali Khan: My information is that every one of them was brought in handcuffs to the *Kotwali*. I know most of them, if not all of them, they are anything but violent. They are very meek and mild people and I wish they had a little more spirit in them. Therefore, to put this forward or to trot out this argument that as there was some fear of their becoming violent, therefore they had to be handcuffed, I do not think it would carry conviction with any Honourable Member on this side of the House. Let me tell them and they can pass it on to their underlings. The time is passed now when handcuffs on a man who is serving his country can humiliate him. If they do it for the sake of humiliating or lowering him in the eyes of his countrymen, then let me tell them that they are greatly mistaken. They are only wasting their handcuffs and their time. On the contrary let me tell them that this action of theirs raises the prestige of a person if he is brought in handcuffs to either the court or the *kotwali*. Sir, even on the statement of my Honourable friend the Home Member there does not seem to be any justification whatsoever for the methods which the police have used in making these arrests. Most of them, and I think practically every one of them was arrested in his house. They did not know anything about it. They did not collect large number of people outside their houses to see that they should try to make them escape from police custody. There was no fear of any kind. As a matter of fact, a wise Government, and I lay great emphasis on the word 'wise', a wise Government would not have taken any notice of what happened on the 11th. The Government by their action have focussed the attention of the people on this particular incident. Let me tell them that if they think that they will succeed in freightening people into submission, they are greatly mistaken. On the contrary they will be responsible and if anything untoward happens, I will hold the Government responsible because that will be due to their action, to their unwise action which they have taken. It is a well known fact and everybody realises it, that the peoples in India are very much agitated over the question of I. N. A. men. My Honourable friend the War Secretary said the other day that the change in the policy of Government was due to the consideration that it might lead to a political settlement.

Mr. P. Mason (Government of India: Nominated Official): I do not think I said that; there has been no change of policy.

Nawabzada Liaquat Ali Khan: But they did change their policy when the Commander-in-Chief first remitted the sentences and I think my Honourable friend did say that it was done in the hope that it would make it easy for a political settlement to take place.

Mr. P. Mason: Yes, but I did not say there was a change of policy.

Nawabzada Liaquat Ali Khan: It was not a change of policy but it was done in that hope; I will accept my Honourable friend's word for it. But all that I want to tell him is that this subsequent action of theirs will shatter that hope which they entertain, if they have any such hope. Their subsequent action will create more bitterness among the people and I tell them that in their own interest and in the interest of the people of India they should revise their policy and follow another policy under which people will not be treated with such brutality and discourtesy as was done in Delhi.

Khan Bahadur Hafiz M. Ghazanfarulla (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, from what has been said in this House I think it is clear that there was no resistance at all by these people and it was mere high-handedness that these people were handcuffed and brought to the *Kotwali*. The

Honourable the Home Member said there was some shouting of slogans, but I want to ask him whether these people were handcuffed before or after the shouting of these slogans. I have seen people arrested in many places and for many crimes but they are not handcuffed. Sir, it is surprising to see that on the same day the Viceroy invited Mr. Jinnah and Mahatma Gandhi to assist him in tackling the food position, these people who would have helped Mr. Jinnah in making the food situation easier were treated so shamefully. Government must change their policy and people should not be treated like this. I think the people of Delhi must be congratulated on the way they have behaved, otherwise there would have been another Calcutta affair here, with loss of lives. Sir, I support the motion.

Several Honourable Members: The question may now be put.

Mr. Deputy President: The question is:

"That the question be now put."

The motion was adopted.

Mr. Deputy President: The question is:

"That the Assembly do now adjourn."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 14th February, 1946.

Copies of the Debates of the Legislative Assembly and of the Council of State, are obtainable on sale from the Manager of Publications, Civil Lines, Delhi

LEGISLATIVE ASSEMBLY DEBATES

THURSDAY, 14th FEBRUARY, 1946

Vol. II—No. 3

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LEGISLATIVE ASSEMBLY

Thursday, 14th February, 1946.

The Assembly met in the Assembly Chamber of the Council House at Eleven f the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the hair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

INDIA'S REPRESENTATIVES ON THE WORLD FOOD ORGANIZATION.

257. *Prof. N. G. Ranga: Will the Agriculture Secretary be pleased to tato·

(a) who were the India's representatives at the latest meeting of the World 'ood Organisation;

(b) how were they chosen;

(c) what representation was given to the Kisan section of the agriculturists, nd how;

(d) what was the agenda before the meeting, and what were its decisions;

(e) was any report submitted by the Indian representatives to Government? f so, what it is; and

*(f) do Government propose to send also the representatives of the Kisans nd their organisations for the future meetings?

Sir Pheroze Kharegat: (a) Under the constitution of the Food and Agriculture rganisation of the United Nations each member nation is to be represented by nly one member with, if necessary, an alternate, associates, and advisers to ssist him. India was represented at the last meeting by the Honourable Sir irja Shankar Bajpai, Agent General to the Government of India in the United tates. A statement giving a list of those who assisted him is laid on the table.

(b) They were selected by Government on the basis of their special qualifiations for the work to be undertaken The representatives from States were elected after consultation with the Political Department.

(c) One of the Vice Presidents of the Rural Peoples Welfare Society was ominated but he could not accept owing to other work.

(d) and (e). A copy of the agenda is laid on the table. A report containing e decisions was submitted by the delegation. Copies of the report will be pplied to Members as soon as printed.

(f) Every effort will be made to send delegations which will be as representaive as possible, bearing in mind the limited number of persons who can be ent, the nature of the agenda and the time available for making the selections.

tatement showing the list of persons deputed to assist India's representative at the first session of the conference of the Food and Agriculture Organisation of the United Nations.

1. Akroyd, Dr. W. R., Director Nutrition Research Laboratories, Coonoor.
2. Baini Prashad, Dr., Fisheries Development Adviser to the Govt. of India.
3. Habib Ullah Khan, Khan Bahadur Sardar, of Lahore.
4. Howard, Sir Herbert, Retired Inspector General of Forests.
5. Rajwade, Mr. R. G., Controller of Supplies and Prices, Gwalior State.
6. Randhawa, Mr. M. S., Secretary, Imperial Council of Agricultural Research (Secy.)
7. Rao, Dr. V. K. R. V., Planning Adviser for Food to the Government of India.
8. Sethi, Mr. D. R., Agricultural Production Adviser to the Govt. of India.
9. Ujjal Singh, Sardar, of the Multan District.
10. Vijayaraghavacharya, Sir T., Prime Minister, Udaipur State.

AGENDA

FIRST SESSION OF THE CONFERENCE OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS.

Adoption of Temporary Rules of Procedure.

Election of Chairman and Officers of Conference.

Report by Chairman of United Nations Interim Commission on Food and Agriculture.

Appointment of Director-General of FAO.

Organization and Work of First Session.

Technical Work of Food and Agriculture Organization in relation to:

Nutrition and food management.

Agriculture.

Forestry.

Fisheries.

Marketing.

Statistics.

Organization and Administration of Food and Agriculture Organization:

Rules of procedure.

Budget and finance.

Administrative arrangements.

Constitutional and diplomatic questions.

Appointment of Executive Committee of Organization.

Other business.

Prof. N. G. Ranga: The point raised here is whether Government will make an effort to see that the representatives of the Kisans and their organisations also are represented at future Conference? What is the specific answer that my Honourable friend proposes to give to that question?

Sir Pharoze Kharegat: The claims of those organisations will be borne in mind when the next nominations are made.

Sardar Mangal Singh: What is this Rural Peoples Welfare Society to which the Honourable Member has referred?

Sir Pharoze Kharegat: I think Prof. Ranga would be the best person to reply to that question.

DEFLECTION OF TRADE BETWEEN INDIA AND SOUTH-EAST ASIA

258. *Mr. P. B. Gole: (a) Will the Honourable the Commerce Member be pleased to state if it is a fact that the export and import trade between India and the South East Asiatic countries is being deflected to the United Kingdom and other countries?

(b) What steps have Government taken or contemplate taking to restore the export and import trade between India and South East Asiatic countries and Ceylon on the pre-war level?

(c) What steps have Government taken or intend to take with a view to restricting the inflow of consumer's goods, which are being produced in India and which do not come under the scope of the Tariff Board?

The Honourable Dr. Sir M. Azizul Huque: (a) The reply is in the negative.

(b) The following steps have been taken or are contemplated to restore the export and import trade between India and South East Asiatic countries:

(1) The ban on private trade imposed under the Enemy Trading regulations, with British Far Eastern territories and the Philippine Islands has been withdrawn. The withdrawal of the ban on private trade with the occupied areas of China is under consideration, while the ban on trade with French Indo-China, Siam and the Dutch East Indies will be removed as soon as conditions permit.

(2) By virtue of an Open General Licence issued on the 22nd January 1946, import licences are no longer required for many industrial requirements and consumer goods from most of the British Empire countries. This will facilitate imports from Malaya and Hong Kong and other Empire territories in the

South ... ...ne. With regard to the Philippines, a programme of requirements has been prepared and licences are being issued accordingly. As regards other territories, programmes of requirements have been prepared in accordance with which licences will be issued as soon as resumption of private trade is permitted.

(3) There is no legal bar to the export of uncontrolled commodities to the countries with which private trading has been permitted. As regards controlled commodities, supplies are at present sent from India through military channels. As soon as civil administration is restored in these countries, it is expected that private trade will be resumed. Negotiations to this end are proceeding.

(4) The import of almost all classes of goods from Ceylon has all along been covered by an Open General Licence and exports to Ceylon have been allowed under quotas.

(5) It is proposed to appoint trade commissioners in suitable places in the Far East and Ceylon with a view to facilitate trade between these territories and India.

(c) Manufacturers of consumer goods who desire protection to be accorded to their industries should apply in the prescribed manner for their case to be referred to the Tariff Board. Meanwhile, during the transitional period, in licensing imports of consumer goods due regard is being paid to the legitimate interests of the indigenous industries.

Mr. Manu Subedar: I brought to the notice of the Honourable Member a case where exports from Singapore to India of certain useful articles were permitted by the Singapore authorities, but no import licence was issued to those parties, and in view of that may I enquire why it is necessary in the case of imports from Singapore and Malaya that a licence must be taken?

The Honourable Dr. Sir M. Azizul Huque: As my Honourable friend knows, the facts are not exactly that import licences are not being issued, but steps are being taken for the issue of licences I have already taken steps to get information on the subject from Bombay

Mr. Manu Subedar: I am raising the general issue as to why the system of import licences for these countries should now be continued except for the protection of those articles which we want to protect?

The Honourable Dr. Sir M. Azizul Huque: That is why it is necessary. Supposing we do not check the import, a number of industries may be affected and therefore it is quite necessary that import control should be done at some stage.

Prof. N. G. Ranga: Has Government received any representation from the Chinese Government in regard to relaxation of these controls?

The Honourable Dr. Sir M. Azizul Huque: I cannot say off-hand.

PARLIAMENTARY MISSION

259. ***Prof. N. G. Ranga:** Will the Honourable the Law Member be pleased to state:

(a) if the Government of India have received any instructions or advice from the British Government regarding the Parliamentary Mission; if so, what;

(b) whether there is any truth in the press reports (10th January, 1946) that this Mission is expected or intends to prepare materials for a draft Indo-British Treaty; if so, the representations proposed to be made by the Indian Government; and

(c) whether Government will consult this House on that matter?

The Honourable Sir Edward Benthall: (a) Government have not yet received any instructions or advice from His Majesty's Government regarding the Parliamentary Delegation

(b) As regards the first part, I invite the Honourable Member's attention to the following extract from the statement of the Lord President of the Council in the House of Commons on the 13th December last:

"I wish to make it clear that members will go out as representatives of Parliament to make personal contacts, to ascertain individual views, and to convey to leading Indians the broad general attitude of the chief political parties in the country.

The Delegation will not be in any sense charged with making an official inquiry, nor will it be asked to make any formal report."

The second part does not arise.

(c) Does not arise.

Mr. Manu Subedar: May I enquire whether it is not correct that an officer has been appointed to make a draft of Indo-British Treaty by the Government of India, and, if so, were not notes or drafts made by this gentleman shown to the Parliamentary Delegation or any member of the Delegation?

The Honourable Sir Edward Benthall: With regard to the first part of the question, I think that is part of the duties of the Reforms Commissioner. With regard to the second part, I hove no information.

Prof. N. G. Ranga: Is it or is it not a fact that the Parliamentary Delegation met members of the Executive Council either individually or collectively.

The Honourable Sir Edward Benthall: Yes, among other people.

Prof. N. G. Ranga: My question is did they meet them individually or collectively? Did they meet the Executive Council as Executive Council or did they meet members of the Executive Council as individual members?

The Honourable Sir Edward Benthall: We met them at a tea party.

Prof. N. G. Ranga: Are we to understand that the Parliamentary Delegation was not given the benefit of the views of the Executive Council members?

The Honourable Sir Edward Benthall: No, Sir. We did not meet them officially.

Prof. N. G. Ranga: Are we to understand that the Executive Council does not count even to the extent of communicating their views to the Parliamentary Delegation?

The Honourable Sir Edward Benthall: No, Sir.

Shri Sri Prakasa: Who will sign the Treaty on behalf of India?

The Honourable Sir Edward Benthall: That question does not arise.

Sardar Mangal Singh: May I know whether the Government of India will find out from His Majesty's Government whether the Parliamentary Delegation has submitted any report to H. M. G.?

The Honourable Sir Edward Benthall: I am informed that they will not submit any formal report.

Sardar Mangal Singh: But now it has been given out that they might submit a report

The Honourable Sir Edward Benthall: I have not seen that information in the press.

Sardar Mangal Singh: Will the Government of India find out whether the Delegation is going to submit any report, or not? Where is the harm in making enquiries?

The Honourable Sir Edward Benthall: It is not a matter for the Government of India; it is for Parliament. I gather they will have informal conversation with the Government at Home.

Prof. N. G. Ranga: Just as Mr. Attlee has taken the opportunity of asking the Delegation to give him the impressions of their tour in India, so also did the Government of India take any opportunity of asking the Delegation to give them the benefit of their impressions?

The Honourable Sir Edward Benthall: Their whole purpose of coming out was to ascertain individual views and to convey to leading Indians the broad general attitude of the chief political parties.

Prof. N. G. Ranga: But did the Government of India take the trouble to ask the delegation to give them the benefit of their impressions?

The Honourable Sir Edward Benthall: No, Sir, the Government of India brought no pressure on them at all in forming their opinion.

Prof. N. G. Ranga: It is not a question of pressure. Did not the Government of India find it necessary to ask this delegation which has been going about the whole of India to give them the benefit of the impressions that they have formed as a result of their contacts with the principal political parties in India?

The Honourable Sir Edward Benthall: No, Sir.

Sreejut Rohini Kumar Choudhuri: Is it a fact that the Government of India did not wish to discuss these matters with the delegation because they felt that they could not represent India?

The Honourable Sir Edward Benthall: No, Sir.

TRIAL OF INDIANS FOR COLLABORATION WITH JAPANESE

260. ***Prof. N. G. Ranga:** Will the Secretary, Commonwealth Relations Department be pleased to state:

(a) the number of Indians resident in Malaya at the time of Japanese occupation, against whom the charge of collaboration has been brought, and what their names are;

(b) how many of them have been kept in detention, and how many have been tried, and with what results;

(c) how many still await trial, and what facilities were given to them to defend themselves, and

(d) whether any of their trials were publicly held, and in the case of how many any clemency was shown?

Mr. R. N. Banerjee: (a), (b) and (c). Such information as we have indicates that charges of collaboration, as distinct from charges of war crimes or charges involving brutality or cruelty, have been brought against 54 Indians. A list of their names is placed on the table of the house.

Many have been released, either unconditionally or provisionally. Two have been tried and sentenced to imprisonment. Excluding these 2 already convicted, 22 persons are at present detained; five on charges of mere collaboration and the rest on charges of collaboration *cum* brutality, torture or cruelty.

Local counsels have been engaged and lawyers from India have also since arrived in Malaya for their defence.

(d) Trials are being held publicly. Clemency, after conviction, have not been shown in any case.

List of Indians in Malaya against whom Charges of Collaboration has been brought

Sl. No.	Name	Sl. No.	Name
1.	Bhajan Singh	11.	Krishnan T. S. M.
2.	Cundard H. A.	12.	Dr. M. K. Lukshun ayah
3.	Dagirao Chawan	13.	Naima Singh
4.	Daud	14.	Man Singh
5.	Gurbachan Singh	15.	P. Markan
6.	Harbajan Singh	16.	Jor Mascarires
7.	Harcharan Singh	17.	K. S. Menon
8.	J. Pereira	18.	N. K. Menon
9.	Kailappan	19.	K. A. Narayan
10.	S. P. S. Kannu	20.	Nitya Gopal Ghosh

Sl. No.	Name	Sl. No.	Name
21.	Paunalal Maganlal Dalal	38.	Sadakar Din
22.	Rachavan N.	39.	Khear Singh
23.	Ramamenon	40.	H. K. Benjamin
24.	Regupathy M. C.	41.	Rajoo R. M.
25.	Sri Krishna	42.	Majumdar Dr. D. K.
26.	Srinivasagam	43.	Subramaniam C.
27.	V. Subramaniam	44.	Sarma S. N.
28.	G. V. Thavar	45.	M. N. Nair
29.	Vatakepat	46.	A. I. Nathan
30.	Ammeer Musheer Bint Said	47.	Dr. Samual
31.	Goho Srish Chandra	48.	Nordin-Kucci
32.	John Sam	49.	D. M. Suppian
33.	Labrooy	50.	Mall Singh
34.	Maniam Pillay	51.	Selva Nayagan
35.	K. R. Menon	52.	H. V. D. Silva
36.	Andiappan Muttiah	53.	A. R. Unny
37.	N. W. Pillai	54.	Kerpal Singh

Prof. N. G. Ranga: Have Government made any representations to the Mulayan Government or the S.E.A.C. to show clemency towards any of these people who have been convicted so far?

Mr. R. N. Banerjee: The news of the conviction of only two persons came recently, and the matter is under examination.

Mr. K. C. Neogy: Am I to understand that the Government of India have undertaken the responsibility of meeting the cost of defence of these persons?

Mr. R. N. Banerjee: Yes, Sir.

Mr. Sasanka Sekhar Sanyal: Have the Government of India ever taken up the question of repatriating these prisoners here for trial?

Mr. R. N. Banerjee: As the Department concerned has had occasion to explain to the House, it is really not our policy to have these people repatriated to India and hold their trial here. Apart from that, this suggestion of repatriation has an important political aspect. On the one hand we cannot claim full citizenship rights for these countrymen of ours in those countries, and on the other hand we cannot also insist on their being repatriated to India for trial for the alleged infringement of the laws of those countries. It is for these reasons that we have not pursued the suggestion made in the press of having these people repatriated to India.

Mr. Sasanka Sekhar Sanyal: Have the Government of India made any representation to the B.M.A., Malaya, that this Government wants the same policy to be followed there, viz., that people who are not charged with brutality should not be tried?

Mr. R. N. Banerjee: Yes, Sir; and as a result of that, I may inform the House, a very large number of Indians who had been originally arrested have already been released, and only five are now under detention on charges of mere collaboration. Even as regards them we are pursuing the matter.

Mr. Sasanka Sekhar Sanyal: Have the Government of India asked the reasons as to why these people who are charged merely with collaboration have not yet been released?

Mr. R. N. Banerjee: Our representative to the S.E.A.C. has been taking this matter up almost from day to day with the local authorities.

Seth Govind Das: Have the Government of India instructed their representative there that the people who are charged with collaboration should be released?

Mr. R. K. Banerjee: Not only our representative but even the Government of India have made direct representations to the S.E.A.C. to that effect; and, as I said, the response has been on the whole very favourable, and the cases of the few persons who still continue to be under detention are also being pursued.

Prof. N. G. Ranga: In regard to these 22 people still under detention, is any effort being made by the representative of the Government of India to see that they are not ill-treated while under detention?

Mr. R. N. Banerjee: There are no complaints of ill-treatment now. Our representative visited these detainees in all the jails as early as the first half of November, and he took every possible care to ensure that there was no ill-treatment of these people in jail.

JEDDA SANITATION DUES

261. *Mr. Ahmed E. H. Jaffer: Will the Secretary, Commonwealth Relations Department please state:

(a) if it is a fact that the Jedda sanitation dues were Rs. 22 in 1933-34, Rs. 27 from 1934-35 to 1941-42 and since then Rs. 90/10/-; and

(b) If the answer to (a) be in the affirmative, will the Honourable Member kindly enlighten the House on the following points:

(i) whether the Government of India consider the enormous increase from Rs 22 to Rs. 90/10/- reasonable;

(ii) if the rise is not considered reasonable, have government taken any step to see that reasonable dues are levied; if so, what steps have been taken and with what results, and, if not, why not;

(iii) is the Jedda Sanitation Station properly equipped and efficiently manned;

(iv) whether, according to the provisions of the International Sanitary Convention, any sanitary station can collect dues in excess of the cost of its upkeep and thus make a profit or do Government consider this fair, and, if not, have they drawn the attention of the Saudi Government to this fact, and

(v) on how many occasions and by how many pilgrims the Jedda Sanitary Station was used during the course of the last 10 years and whether the arrangements existing there were considered satisfactory and efficient?

Mr. R. N. Banerjee: (a) During the period from 1933-34 to 1940-41 Jedda sanitation dues were fixed at £.G.1-1/11 the rupee equivalent of which varied according to the market rates of exchange. In 1941-42, these dues were fixed at 40 *Riyals* but a 25 per cent reduction was made. In 1944-45, they were increased to 50 *Riyals* and Indian pilgrims paid Rs. 85 Annas 8, at the exchange rate of one *riyal* being equal to Re. 1 Annas 11. In 1945-46, they were fixed in rupees at Rs. 85 Annas 8.

(b) (i) The dues were originally fixed really in terms of gold sovereigns and in terms of gold, they have increased from £.G.1-1/11 in 1934 to £.G.1-1/4 in 1945. The small increase is sought to be justified by the increase in prices. The sharp increase from Rs. 22 to Rs. 85-8-0 is due mainly to the rise in the price of gold and partly to the Saudi Arabia Government insisting on payment in rupees. The fixation of the dues in rupees at the rate of Rs. 1-11-0 per *riyal* instead of at the current rate of Rs. 1-2-0 per *riyal*, is not considered reasonable by the Government of India.

(ii) The Government of India did make representations against the increase in so far as it was brought about by the high rate of exchange but the Saudi Arabian Government did not reduce the rate of exchange as they prescribed similarly high rates of exchange for other countries as well.

(iii) No. But the station could be brought into operation at short notice.

(iv) The International Sanitary Convention of 1926 as amended in 1938 does not lay down any specific amount to be recovered from pilgrims as sanitation charges.

(v) During the last 10 years, the Jedda Sanitary Station was not used by pilgrims. The latter part of the question does not therefore arise.

PAYMENT OF DUES BY PILGRIMS TO HEJAZ

262. *Mr. Ahmed E. H. Jaffer: Will the Secretary, Commonwealth Relations Department please state:

(a) if it is a fact that in 1944-45 Haj season, when the Saudi Government dues and transportation charges were collected in advance by the Government of India, pilgrims travelling by first class were allowed to carry with them 37 gold sovereigns and the deck pilgrims 15 sovereigns;

(b) whether during the 1945-46 Haj season, when the Saudi Government dues and transportation charges were to be paid by the pilgrims in the Hajaz, pilgrims travelling by first class were allowed to carry 30 gold sovereigns and the deck pilgrims 20 gold sovereigns;

(c) whether the Standing Haj Committee, whom the Government of India consulted on the demand of the Saudi Government for the advance collection of these dues at the high rate of exchange, did not express their opinion, at their meeting held on the 14th September, 1945, that Government should not submit to the Saudi Government's demand, but should strengthen the hands of the pilgrims by allowing them to carry a larger number of gold sovereigns than in the 1944-45 Haj season; and

(d) what steps do Government propose to take to make good the loss which the pilgrims had to suffer?

Mr. R. N. Banerjee: (a) In 1944-45 Haj season pilgrims were allowed to carry with them gold sovereigns as stated below:

	First Class (travelling by bus in the Hejaz)	Deck Class (travelling by bus in the Hejaz)	Deck Class (travelling by Camel in the Hejaz)
1st Batch	15	15	12
2nd Batch	37	26	23

(b) Yes

(c) Yes. The Saudi Arabian Government, however, insisted that, even though made on the spot after arrival at the Hejaz, all payment of their dues must be in fixed sums in Indian currency, that is to say, in rupees and not in gold or rivals. Increase of gold sovereigns to be carried would not therefore have been of any advantage to pilgrims.

(d) Does not arise.

CARRIAGE OF PILGRIMS FROM BOMBAY TO KARACHI IN SHIPS FOR JEDDA

263. *Mr. Ahmed E. H. Jaffer: (a) Will the Secretary, Commonwealth Relations Department please state if it is a fact that some pilgrim ships which sailed from Bombay during the 1945-46 Haj season to carry pilgrims from Karachi to Jeddah, actually carried some pilgrims from Bombay to Karachi as local passengers on payment of extra passage fare from Bombay to Karachi?

(b) Is it a fact that some pilgrims, while returning from Jeddah and wishing to proceed to Bombay, were allowed to continue their voyage from Karachi to Bombay in the same pilgrim ships, on payment of excess passage money as fare from Karachi to Bombay?

(c) If the answer to (a) and (b) be in the affirmative, what was the total number of such passengers which travelled from Bombay to Karachi and from Karachi to Bombay, in how many ships, and what was the passage fare paid by these pilgrims for these voyages?

(d) Are Government aware that the s.s. *Englestan*, which has a pilgrim-carrying capacity of about 850, actually sailed from Bombay in September with only about 300 Bombay to Karachi passengers to take up the pilgrim-run from Karachi?

(e) Are Government aware that pilgrims from the Bombay Presidency, Hyderabad, the whole of the South of India, and even Bengal, would prefer to sail from Bombay on their Haj voyage rather than from Karachi, which would mean the saving to them of 2 to 3 day's extra rail or sea journey, as also a saving in their expenses?

(f) Is it not a fact that on account of not arranging pilgrims to sail from Bombay, the pilgrims who proceeded to Jeddah this year from these provinces are estimated to have suffered a loss of Rs. 2,50,000; if not, what is the Government estimate of the extra expenses to which these pilgrims were put to?

Mr. R. N. Banerjee: (a) Yes.

(b) Yes.

(c) 706 from Bombay to Karachi and 757 from Karachi to Bombay in six ships. Fares paid were Rs. 87 for I class, Rs. 56 for II class and Rs. 19-8-0 for Deck class. Only those who travelled first class from Karachi to Bombay by ships of the Mogul Line paid Rs. 84-8-0.

(d) Yes. The s.s *Englestan* carried 299 passengers against its carrying capacity of 836.

(e) Yes.

(f) The closure of the Bombay port to the pilgrim traffic was considered to be advisable and in the interest of the pilgrims on account of the abnormal conditions created by the war. It is not possible to make any estimate of the additional expenditure which pilgrims from certain provinces had to incur. This additional expenditure was however unavoidable in the abnormal conditions.

Seth Yusuf Abdoola Haroon: With reference to part (d) of the question may I know from the Honourable Member why only 300 passengers were carried as against its capacity of 800?

Mr. R. N. Banerjee: The number of persons carried were those who wanted to take advantage of this boat for travelling from Bombay to Karachi. This was a case of what is known as "unberthed passengers". It was no part of our duties to provide them sea passage from Bombay. We were under obligation to provide sea passage from Karachi but on account of some accident to the railway line and for other reasons the local Port Haj Committee approached us and we made a special exception and the number depended upon the number of people who wanted to avail themselves of that mode of travelling.

Mr. Ahmed E. H. Jaffer: Will Government consider the question of making arrangements for the departure of these pilgrims by sea from Bombay, especially those who come from the southern parts of India?

Mr. R. N. Banerjee: It is our intention to get back to normal conditions as soon as possible and we shall do our best.

Mr. Ahmed E. H. Jaffer: What do you mean by normal conditions?

Mr R. N. Banerjee: I mean pre-war conditions.

Mr. Ahmed E. H. Jaffer: The war is now over and pre-war conditions have come . . . . . .

Mr. President: Next question.

EXCESS FARE CHARGED BY MESSRS. MOGUL LINE, LIMITED

264. *Mr. Ahmed E. H. Jaffer: (a) Will the Secretary, Commonwealth Relations Department please state if it is a fact that one of the shipping companies, Messrs. Mogul Line, Limited, engaged in the pilgrim traffic this year, charged Rs. 150 as first class passage fare per passenger from Karachi to Bombay to some of the pilgrims?

(b) Is it a fact that the other shipping company, Messrs. Scindia Steam Navigation Company, Limited, charged Rs. 87 as first class passage fare from Karachi to Bombay to the pilgrims travelling by their ship?

(c) Is it a fact that both the above shipping companies, while intimating to the Bombay Port Haj Committee their readiness to carry pilgrims between Bombay and Karachi, had given their first class passage fare as Rs. 87?

(d) If the answers to the above be in the affirmative, what steps do Government propose taking to see that Messrs. Mogul Line, Limited, do not repeat such actions in charging exorbitant fares to pilgrims? Do Government propose to compel them to refund such excess as they may have charged during the current season?

Mr. R. N. Banerjee: (a) This fare was charged from seven pilgrims.

(b) Yes.

(c) Yes

(d) The higher fare was charged erroneously. This is the British India Steam Navigation mail rate as opposed to the lower Bombay Steam passenger rate. The excess has already been refunded by the company to six pilgrims. The seventh can also have the refund of the excess on application. No action is therefore considered necessary.

KAMARAN QUARANTINE STATION

265. *Mr. Ahmed E. H. Jaffer: Will the Secretary, Commonwealth Relations Department please lay on the table:

(a) accounts of the Kamaran Quarantine Station for the past two years; and

(b) figures of consumption of distilled water by pilgrims and men of war during the past two years?

Mr. R. N. Banerjee: (a) A copy of the accounts for 1944 is placed on the table of the House Accounts for 1945 are not yet ready.

(b) Nil.

STATEMENT 'B'

Statement showing the income, expenditure, surplus or deficit and the closing balance of the Personal Deposit Account of Kamaran Quarantine Station Fund for the year 1944

Opening Balance on 1st January, 1944	Total income	Total payments	Surplus at the end of the year	Deficit at the end of the year	Closing Balance on 31st December, 1944
138,692-2-10	20,148-11-11	157,687-3-4	..	137,538-7-5	1,153-11-5

H. M.'s Kamaran Sub Treasury.

Kamaran, the 21st January, 1945.

Sd./—

Civil Administrator, KAMARAN.

BURMA INDIAN REFUGEES

266. *Prof. N. G. Ranga: Will the Secretary, Commonwealth Relations Department be pleased to state:

(a) how many Burma Indian refugees have so far been helped to return to Burma and under what conditions;

(b) whether any Government assistance has been given to them before and after going to Burma;

(c) by whom they are employed *i.e.*, Burma Government or private employers;

(d) how many of them were recruited through contractors;

(e) the plans of Government for helping the other refugees to return to Burma; and

(f) whether the Government of India will consider the advisability of taking special steps to help these refugees to return to Burma without the medium of the system of 'contract labour'?

Mr. R. N. Banerjee: (a), (b), (c) and (d). The question presumably refers to return to Burma of Indian refugees of the labouring classes If this presumption is correct, no such Indian refugees have so far been helped by the Government of India to return to Burma; and parts (b), (c) and (d) of the question do not, therefore, arise In 1944 the Government of India agreed to the recruitment of 16,000 skilled and semi-skilled labourers by the Civil Affairs Section (Burma) It is understood that certain refugees have been taken to Burma as part of the labour recruited under this scheme. But no precise details are available.

(e) A statement is laid on the table

(f) Yes

Statement

1 In consultation with the Government of Burma a scheme for the repatriation of Indian evacuees who are desirous of returning to Burma is being worked out Identity certificates are being issued to evacuees all over India and their applications for passages are registered by Protectors of Emigrants at the ports of Madras, Vizagapatam, Calcutta and Chittagong Embarkation notices will be sent to evacuees as and when ships for their transport are available The first batch is expected to leave India in April next The question of financial assistance to evacuees who are in need of it, is under consideration and orders will be issued shortly. The Government of Burma have agreed to look after Indian evacuees once they reach the ports of disembarkation in Burma.

2 A Press Note and Instructions to local authorities issued by the Government of India are attached

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PRESS NOTE

REPATRIATION OF EVACUEES TO BURMA

Registration and issue of Identity Certificates

Last date extended to February 28th

It was stated in a Press Note issued on December 4th, 1945, that registration and issue of identity certificates to Indian evacuees from Burma desirous of returning to that country would commence on December 10th, 1945, and would be completed on January 31st, 1946.

Requests have been received from several evacuee associations that this date should be extended. The Government of India have, accordingly, decided that identity certificates should continue to be issued throughout February, the last date of issue being February 28th, 1946.

Evacuees are advised to take out their identity certificates even though they are not willing to proceed to Burma immediately, as these identity certificates will be useful to enable them to return to Burma even at a later date. Evacuees who are in receipt of financial assistance are specially reminded that if they fail to take out their identity certificates, the assistance granted to them is liable to be stopped.

Commonwealth Relations Department;

New Delhi, January 18th, 1946.

INSTRUCTIONS TO LOCAL AUTHORITIES—REGISTRATION OF AND ISSUE OF IDENTITY CERTIFICATES TO INDIAN EVACUEES DESIROUS OF RETURNING TO BURMA.

General

There are nearly 4,00,000 of evacuees from Burma in this country. It is a principle accepted by both the Government of Burma and the Government of India that all such persons, as have been obliged to leave Burma, as a result of the war, and subsequent occupation of the country by the Japanese, and also those who, in normal course, would have returned to Burma but for the war and subsequent Japanese occupation of Burma, should be enabled to return to Burma, before others who had no previous connections with that country.

2. Due to severe shipping losses suffered during the war, and on account of the heavy military demands immediately after the termination of the war for the movement and repatriation of troops and prisoners of war suddenly released from Japanese internment camps in scattered areas in the East, it is impossible to repatriate large numbers of evacuees at present to Burma from India.

3. On the other hand, even, if shipping space was immediately available, internal conditions in Burma do not, at present, make it advisable to permit large scale repatriation to that country. Internal communications have been utterly disrupted. No internal river traffic is possible at all. Every railway bridge and railway station has been substantially damaged or knocked out. The dispersal by road, from points on the railway, is still not possible, both, on account of (i) serious damage to roads and bridges and (ii) the absence of vehicles.

4. Because of lack of transport facilities, the food situation in Burma is not happy. Finally, there is a complete dearth of consumer goods and there is, particularly, an acute shortage of cloth.

5. In view of all this it is necessary to regulate the gradual return of evacuees and amongst the evacuees themselves, it is necessary to arrange a system of priorities, to enable both the Governments to decide what classes of evacuees should precede the others, particularly in the initial stages.

6. It is for these reasons that evacuees desirous of returning to Burma are being required to apply to local authorities, on a prescribed form, and on their satisfying the local authorities as to their status as evacuees, they are to be issued identity certificates, in a prescribed form in order to safeguard against impersonation by persons who are not genuine evacuees. This arrangement is in the interest of evacuees themselves. The forms of application and identity certificates are included in this pamphlet.

7. The registration will commence on the 1st December 1945 and will be completed by the 28th February 1946. The registration will be done at the Taluq, Tehsil or Circle Office on all working days.

Evacuee

8. An evacuee for the purpose of this scheme may be defined as any person who was obliged to leave Burma as a result of the war and subsequent Japanese occupation of that country; and any person who was resident in Burma and had left that country prior to the declaration of hostilities and would have returned to Burma if it had not been for the war and the consequent Japanese occupation of that country.

The issue of identity certificates

9 The magistrate issuing the Certificate of Identity should certify that the person concerned "has been correctly identified" before him "as an Evacuee from Burma". Before issuing the certificate, therefore, the magistrate is to satisfy himself, on the best evidence available in each case, that the applicant is an evacuee as defined in paragraph 8 above. This may be done in one of several ways. If the applicant is in receipt of financial assistance as a *Burma* evacuee, there need be no further scrutiny, except to ensure that to the best of the knowledge and belief of the magistrate the particulars in the form of application have been correctly filled in. If the evacuee declares that he had been enumerated at the Census of evacuees in 1943, this may in itself be good evidence, too. Failing these, help may be sought from responsible office bearers of duly constituted, evacuee or refugee organisations to establish the person's identity as an evacuee. In other cases, help may be sought from persons who might have held important official or non-official positions in Burma, *e.g.*, members of the House of Representative, Honorary Magistrates, Members of the Rangoon Corporation, Rangoon Port Trust, Rangoon University, etc., or any other respectable Burma evacuee himself well known in the local area. Such persons would be in a position to identify the evacuee, or knowing the country (Burma), may be able to put intelligent questions to the applicant and ascertain whether he is a *bona fide* evacuee or not. The assistance of the Central and Assistant Refugee Officers of the area may also be obtained during their tours. In the last instance, the headmen of the village where the evacuee has normally resided, is likely to know the truth, as these matters do not remain a secret in the village. The applicant may be able to produce some documents or letters in support of his plea—but "documentary evidence" is not to be demanded by any means in all cases. The magistrate is expected to use his intelligence and obtain, in each case, the best available evidence on the spot, without putting the applicant to any undue inconvenience or hardship.

Who is to apply—Dependents

10. All male adults above the age of 18 are to apply on a separate form and obtain separate Identity Certificates. Male dependents of evacuees below 18 and female dependents of whatever age are not required to apply and obtain separate Identity Certificates. All females who are not attached to any adult males as dependents should also apply and obtain separate Identity Certificates. Any dependents (other than male adults above 18) who are to go with such non-dependent females should be included in the application and Identity Certificates of such females concerned (see Col. 11 of the application form and back of Identity Certificate).

11. The term "dependent" should ordinarily be interpreted as meaning a person who has no independent means of livelihood himself. But it need not be interpreted very strictly and may include members of joint families, who themselves have some independent means of livelihood. But it may be explained to the evacuee that it would be to the advantage of adult persons to have their own identity certificates, so as to facilitate their proceeding to Burma independently, should this become necessary by circumstances.

12. IN EVERY CASE WHERE A SEPARATE IDENTITY CERTIFICATE IS REQUIRED, OR IS NECESSARY UNDER THESE INSTRUCTIONS A SEPARATE APPLICATION FORM MUST BE FILLED IN FOR THE PERSON CONCERNED.

Instructions for Filling Identity Certificates.

13. All certificates shall bear the signature and designation of the Issuing Magistrate and the official seal. Under the signature and designation the "District" and the "Province" or State in which the certificate is issued, shall be put down, together with the "Date" of issue

14 If the evacuee is in a position to obtain small, about pass-port sized, photographs, such photographs may be affixed in the space provided on the Identity Certificate as well as on the back of the duplicate copy of the application form (in the space provided). The signature or left thumb impression (if illiterate) of the evacuee should be taken across the photographs, partly on the photographs themselves. As these certificates may be of use to the evacuee in Burma, later, it may be explained that it would be in the interest of the evacuee to affix such photographs, but if obtaining photographs is difficult and the evacuee is not in a position to bear the expense, these should, on no account, be insisted upon.

15 In the absence of the photographs, the signature or clear left thum impression of the person concerned, should be obtained on the Certificate and on the back of the copies of the application form, in the space provided.

16 Other columns elsewhere in the Identity Certificate are essential extracts of information obtained, in detail, on the application form, and these columns in the Identity Certificates must entirely tally with the answers in the application form.

17 The column in Identity Certificate "Destination in Burma" is to show the address in Burma; if column 9 (in application form) "Future address in Burma" is different from column 8, "Last permanent address in Burma", then the address given in column 9 and not in column 8 shall be shown in the relevant column in the Identity Certificate

18 Under "Pre-evacuation interests in Burma", in the Certificate of Identity, if in column 14 (a) of the Form of application, if there are any stranded members of the family and dependents, in the first line under this head in the Identity Certificate, say without giving details "(a) Stranded members of the family". If, similarly, under 14(b) in application form there is any house property, in the Certificate of Identity, say that House Property" If neither of 14(a) or 14(b) are given in the application form, omit all mention of both these items from the Identity Certificate If any answers are given in the application form to 14(c) "Any other interests", in the Certificate of Identity, say "14(c)" and add any one and not more than two of the vocational interests as stated in the form of application

19 The number of the Identity Certificate issued should be carefully entered in the original as well as the duplicate application forms in the right top corner of the front page. The same number should be entered by the issuing authority on the back page of the application forms in the place indicated

20 An account of the number of the Identity Certificates should be kept by all the local authorities and all unused certificates will have to be returned to the Central Government in accordance with instructions which will be issued in due course.

21 The local authority issuing certificates of identity should retain the original of the application form together with any papers connected with the issue, *e.g.*, a certificate from an evacuee association, in his office. *The duplicate should be sent the same day without fail to the Protector of Emigrants concerned.*

22. On receipt of the duplicate of the application forms in respect of which certificates have been issued by local authorities, the Protector of Emigrants will prepare (a) Registers of Evacuees and (b) Abstracts, as prescribed by the Central Government

23. As soon as the evacuee embarks, the entries on the back of the duplicate aplication form will be filled by the Protector of Emigrants and returned to the local authority who issued the certificate of identity.

24 The local authority will, in the case of persons who have received financial assistance during their stay in India, then complete the entry regarding financial assistance on the back of the form and forward the form together with the personal file of the evacuee to the Secretary to the Government of India, Department of Commonwealth Relations, New Delhi.

INSTRUCTIONS FOR FILLING IN THE APPLICATION FORM

1 & 2. "Name".....Father's/Husband's Name".....All proper names, whether of persons or places, occurring anywhere in the form or the Identity certificate should be in full (not initials) and in block capitals.

4. "Address in India".....For rural areas, name village Tehsil/Taluk/Circle, District and Province; for urban areas, name street, etc., town, district and province.

5. "Home in India (if any)".....If evacuee has any permanent home in India, besides whatever he had in Burma, say "Yes", otherwise say "No".

6. Occupation in India (if any)".....If evacuee has obtained any permanent means of livelihood it should be entered here. If not, say "No occupation".

7. "Approximate date of evacuation".....Enter here the date on which the applicant last arrived in India from Burma. If exact date is not known, give the month and year, *e.g.*, "March 1942".

8. "Last permanent address in Burma .....and name of employer (if any)" State evacuee's last permanent address in Burma. State No. of the house, street, town and district in urban areas, and village, township and district in rural areas. Add the name of the employer or firm in the column provided, if any.

9. "Future address in Burma"..... If the evacuee does not intend to return to his last permanent address given in question No. 8 state particulars, as in 8, of the new address or destination, as accurately as possible.

10. "Accommodation now available in Burma".. ...To be filled in only if the evacuee has a residential house in Burma; if so state particulars as in 8. Alternatively, if the evacuee knows any relation or friend who can probably accommodate him, state his name and address as in 8.

11. "Dependents accompanying the evacuee to Burma". .....State name, relationship, age and sex of dependents, which the evacuee wants to take with him to Burma. All male dependents above the age of 18 years must fill in separate application form and obtain separate identity certificates. All applications of male adult dependents desiring to go as a group should be pinned together. Female dependents of all ages and male dependents below 18 are not required to fill separate applications, nor obtain separate identity certificates.

12. "Will you go alone if dependents are not permitted at present to go to Burma". As far as possible the evacuee will be enabled to proceed with dependents; but this cannot be guaranteed. The answer should be "Yes" or "No". If the answer is "No", the going of the evacuee may be delayed

13. "Financial assistance, if any, received in India" State only the approximate amount and the district or districts and Province or State in which it was received and whether from the Government of Burma or Government of India, *e.g.*, "Rs 750—District Mainpuri—U.P. Government of India (or Burma)"

14. "Pre-evacuation interest in Burma".

(a) "Stranded members of family and dependents"—State only numbers, relationship and last known district, not names, *e.g.*, "Husband and two children—Shwebo" or "Grand mother, two neices and three nephews—Mandalay"

(b) "House Property" If the evacuee had any house property anywhere in Burma, residential or otherwise, state approximate pre-evacuation valuation, and address, as in para. 8.

(c) "Any other interests" This column is for the pre-evacuation means of livelihood of the evacuee in Burma. The various possible means of livelihood are given in Appendix II below. It is not intended that the answers to this question should be recorded according to the classified means of livelihood in this Appendix. Such a classification will be made by the Protector of Emigrants when these forms are sent to the Protectors at Ports. The answers are to be recorded as given by the evacuee, *e.g.*, if a man says he is a boot maker, he should be recorded as a boot maker, and not as "Industries of dress and toilet" and a cartman as a cartman, not as "Transport by land". The answers, however should not be vague, but must be specific and clear.

It is proposed to divide the workers following industrial means of livelihood into skilled and unskilled workers. A skilled worker is any person employed in any work requiring technical knowledge. The Carpenter in a Carpenter's shop is a skilled worker. An ordinary labourer employed by a carpenter is an unskilled worker. The Magistrate should see that the reply to the question is given in a way to enable the Protector of Emigrants to classify the worker at a later stage as skilled or unskilled.

State any *one* and not more than *two* items, in order of importance, if evacuee had more than one means of livelihood.

(d) "Prospects in Burma". State what means of livelihood the evacuee hopes to have soon after returning to Burma. He may be able to count on his income from house property (14 b); or he may be able to depend on any of the items in (14 c); or he may be hoping to regain his previous employment, if he had any (8). See briefly and intelligently the answer given to the question

15. "Were you enumerated in 1943 census". If enumerated name the Taluq/Tehsil/Circle, District and the Province or State in which the evacuee was enumerated.

16. "Class of steamer accommodation desired". State whether accommodation desired is First or Second class Cabin or Deck accommodation. It may be explained that Cabin accommodation may have to be entirely reserved, in the initial stages, for the infirm and the aged.

17. "If necessary, will you travel by lower class, if so, state lowest class" Self explanatory.

18. "Month when the evacuee desires to return". The earliest month, in 1946, in which evacuee is prepared to return may be stated, *e.g.*, "February, 1946", March 1946". It may be stated that it may not be in the interest of the evacuee to rush to Burma in the initial stages, particularly if the evacuee or dependents has or have any employment in India, or if the minor dependents are in school, etc. It must also be explained that there is no guarantee that the evacuee will be enabled to proceed to Burma in the month stated in this Column.

19. "Messing (European or Hindu vegetarian/non-vegetarian or Mohammedan)".....The answer is necessary to enable authorities to arrange for messing in Reception Camps in India, on Board Ship and in Reception Camps in Burma.

20. "Marks of identification". Any prominent marks on face, hand or foot, which can easily be noticed, such as scars, moles or deformities, if any, and colour of eyes, black, brown, green or colour of hair may be entered intelligently.

21. "Port of embarkation" The ports of embarkation will be as shown below :

Madras—The whole of the Province of Madras and Southern India States except Vizagapatam, East & West Godavari, Kistna and Guntur Districts.

Vizagapatam.—Vizagapatam, East and West Godavari, Kistna and Guntur Districts of the Province of Madras, Ganjam District of Orissa and Hyderabad.

Chittagong.—Chittagong, Noakhali, Tipperah, Mymensingh and Dacca Districts of the Province of Bengal and Sylhet district of the Province of Assam.

Calcutta—Rest of India not served by the Madras, Vizagapatam and Chittagong ports.

No.....

APPLICATION FORM FOR BURMA INDIAN EVACUEES DESIROUS OF RETURNING TO BURMA

1. Name (in full) .....
2. Father's/Husband's Name .....
3. Age and Sex
4. Address in India
5. Home in India (if any)
6. Occupation in India (if any)
7. Approximate date of evacuation
8. Last permanent address in Burma and name of employer (if any)
9. Future address in Burma
10. Accommodation now available in Burma.
11. Dependents accompanying the evacuee to Burma.

Name	Relationship	Age	Sex
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

12. Will you go alone if dependents are not permitted at present to go to Burma?
13. Financial assistance, if any, received in India
14. Pre-evacuation interests in Burma :

(a) Stranded members of family and dependents

(b) House property

(c) Any other interests

(d) Prospects

15. Were you enumerated in 1943 census Tehsil

District Province

16. Class of steamer accommodation desired

17. If necessary, will you travel by lower class

If so, state lowest class

18. Month when the evacuee desires to return

19. Messing (European or Hindu vegetarian/non-vegetarian or Mohammedan)

20. Marks of identification

21. Port of embarkation

(Page 2)

(For official use only)

(To be filled in the office of the local authority)

Identity card No.....has been issued.

Photograph/Signature/left thumb impression of evacuee.

Signature.....

Designation.....

District.....

Province.....

Date .....

(Official seal).

(To be filled in the Office of the Protector of Emigrants.)

Arrived at the port on

Financial assistance, if any, granted at the port, prior to embarkation (receipt attached)

Embarked on

Form returned to local authority on

Protector of Emigrants.

(To be filled in the office of the local authority)

Forwarded to the Secretary to the Government of India, Department of Commonwealth Relations, New Delhi, with the remark that a sum* of Rs. (Rupees) is due from the applicant in respect of financial assistance granted to him during his stay in India His personal file is attached.

Signature .....

Designation.....

(Official seal).

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*The total amount due from the evacuee including the amount granted by the Protector of Emigrants at the time of embarkation should be entered here (Page 2).

BURMA EVACUEE IDENTITY CERTIFICATE

Destination in Burma .....

Dependents—Name & relationship with evacuee. .....

.....

.....

.....

.....

.....

Pre-evacuation interest in Burma .....

.....

.....

.....

Where enumerated in Census.

Province..... Distt..... Tehsil.....

(Page 1).

Name

Father's name

Husband's name

Address in India

Age and Sex

Marks of Identification

Port of Embarkation

No.....

(Page 3).

I, Mr. Magistrate Class, do hereby certify that Mr./Mrs./Miss whose particulars are given within, has been correctly identified before me as an Evacuee from Burma.

Photo/Signature/Left thumb impression of the evacuee.

Signature.....

Designation.....

District .....

Province.....

Date.....

(Official Seal of the Court.)

APPENDIX I

LIST OF DISTRICTS AND STATES IN BURMA.

1. Akyab.
2. Arakan Hill tracts
3. Kyaukpyu
4. Sandoway.
5. Rangoon.
6. Pegu.
7. Tharrawady
8. Hanthawady
9. Insein
10. Prome
11. Bassein
12. Henzada
13. Myaungmya
14. Maubin
15. Pyapon
16. Salween
17. Thaton
18. Amherst
19. Tavoy.
20. Mergui.
21. Toungoo
22. Thayetmyo.
23. Minbu.
24. Magwe.
25. Patokku.
26. Chin Hills.
27. Mandalay.
28. Kyaukse.
29. Meiktila.
30. Myingyan.
31. Yamethin.
32. Bhamo
33. Myitkyina
34. Shwebo
35. Sagaing
36. Katha
37. Lower Chindwin
38. Upper Chindwin

States.

39. Northern Shan State
40. Southern Shan State.
41. Karenni

APPENDIX II

I—AGRICULTURE

(i) Non-cultivating proprietor

(ii) Cultivating Proprietor.

(iii) Tenant cultivator.

(iv) Agricultural labourer (seasonal).

(v) Stock raiser (*i.e.*, breeder of cattle or other animals, herdsman, shepherd).

(vi) Fisherman (including Pearling).

State *one* or *not more than two* of the above categories.

II. EXPLOITATION OF MINERALS (Workers in Mines)

(i) Metallic Minerals—
(a) Lead, Silver and Zinc.
Skilled workers,
Unskilled workers,

(b) Tin and Wolfram.
Skilled workers,
Unskilled workers,

(c) Others.
Skilled workers,
Unskilled workers,

(ii) Non-metallic minerals.
Skilled workers,
Unskilled workers,

III. INDUSTRY

(i) Wood.
(a) Saw-mill employees
Skilled workers,
Unskilled workers,

(b) Carpenters, turners and joiners, etc.
Skilled workers,
Unskilled workers,

(c) Others (Basket makers and other industries of wood materials including leaves, bamboo reeds or similar materials).
Skilled workers,
Unskilled workers,

(ii) Metals
(a) Blacksmiths, other workers in iron, makers of implements
Skilled workers,
Unskilled workers,

(b) Other [Workers in other metals (except precious metals), makers of arms, guns, etc., workers in mints, die-sinkers, etc.]
Skilled workers,
Unskilled workers,

(iii) Ceramics

(a) Brick and tile makers
Skilled workers,
Unskilled workers.

(b) Others (Potters and makers of earthenware and other workers in ceramics)
Skilled workers,
Unskilled workers.

(iv) Chemical Produces (Manufacture of matches, fireworks, other explosives, aerated and mineral waters and ice manufacture and refining of vegetable and mineral oils, etc.).
Skilled workers,
Unskilled workers,

(v) Food (Rice pounders and baskets flour grinders, grain parchers, butchers, makers of sugar, molasses, gur, sweetmeat and condiment, toddy drawers, brewers and distillers, manufacturers of tobacco, opium and ganja)

(a) Rice Milling
Skilled workers,
Unskilled workers.

(b) Salt Industry
Skilled workers,
Unskilled workers,

(c) Sugar Industry.
Skilled workers,
Unskilled workers,

(d) Others
Skilled workers,
Unskilled workers,

(vi) Industries of dress and the toilet (Boot, shoes, sandals, and clog makers, tailors, milliners, dress makers, embroiderers, hat makers, washing and cleaning, barbers, hair dressers, and other industries connected with the toilet).
Skilled workers,
Unskilled workers,

(vii) Cotton baling and ginning Industry.
Skilled workers,
Unskilled workers,

(viii) Textile industry
Skilled workers,
Unskilled workers,

(ix) Oilseed or Oil Industry
Skilled workers,
Unskilled workers,

(x) Cotton-seed Industry
Skilled workers,
Unskilled workers,

(xi) Soap making Industry
Skilled workers,
Unskilled workers,

(xii) Building Industry (Lime burners, cement workers, excavators and well sinkers. tone cutters and dressers, brick layers and masons, builders, painters, decorators of houses, lers, plumbers).
Skilled workers,
Unskilled workers,

(xiii) Construction of means of transport.
(a) Persons engaged in making, assembling or repairing motor vehicles, cycles, trams cars, etc.
Skilled workers,
Unskilled workers,

(b) Others (carriage, carts, palki makers, wheel-wrights, ship, boat, aeroplane builders).
Skilled workers,
Unskilled workers,

(xiv) Production and transmission of physical forces, (Heat, light, electricity, motive ower, etc., gas works and electric lights and power).
Skilled workers,
Unskilled workers,

(xv) Other Industries (hides, skins, etc., furniture, printers, engravers, book-binders akers of musical instruments, clocks, jewellery and other miscellaneous industries, except cavenging).
Skilled workers,
Unskilled workers,

(xvi) Sweepers and scavengers.

IV.—TRANSPORT

(1) Transport by water—(a) Ship-owners, boat owners and their employees, officers, narimers, ship brokers, boat men, towmen and persons employed in harbours, docks, rivers nd canals including pilots, other than labourers.
Skilled workers,
Unskilled workers,

(b) Labourers employed on harbours, docks, rivers and canals.
(i) Stevedores, coolies, cargo boatmen paddy gig men who are directly engaged or discharging cargoes into or out of vessels in the port, either in the midstream or at the wharf.

(ii) Labourers engaged in handling cargoes on public and private wharfs, jetties or landing stages.

(iii) Labourers engaged in handling goods on public or private sheds, warehouses and godowns.

(iv) Labourers engaged in moving goods from wharves and warehouses to and from places beyond the limits of the port.

(2) Transport by road, (a) Persons, other than labourers, employed on the construction nd maintenance of roads and bridges, owners, managers and employees connected with nechanically driven and other vehicles, palki, etc., bearers and owners, pack elephant, camel, nule, ass and bullock owners and drivers.
Skilled workers,
Unskilled workers,

(b) Labours employed on roads and bridges.
(c) Other labourers.
(3) Transport by rail—(a) Railway employees of all kinds other than doctors, police, ostal service, labourers and sweepers.

(b) Labourers of all kinds associated with railways.

(4) Others—(Persons connected with aerodrome and aeroplanes, post office, telegraph and elephone service, etc.),
Skilled workers,
Unskilled workers,

V. TRADE

(i) Banks, establishments of credit, exchange and Insurance.
(ii) Trade in Textiles.
(iii) Hotels, cafes and restaurants, etc.,
  (a) Owners and managers of hotels, cookshops, etc., and employees.
  (b) Hawkers of drink and food stuffs.
  (c) Others.
(iv) Other trade in food stuffs.
  (a) Grain and pulse dealers.
  (b) Dealers in other foodstuffs.
(v) Other traders.

VI. PUBLIC ADMINISTRATION

(1) Police.
(2) Service of the State.
(3) Other services (Municipal and other local services, Village officials, etc.),

VII. PROFESSIONS AND LIBERAL ARTS

(1) Law (Lawyers of all kinds, including qazis, law agents, Lawyers' clerks, petition writers, etc.),

(2) Medicine (Registered Medical Practitioners, other persons practising the healing arts, dentists, midwives, vaccinators, compounders, nurses, veterinary surgeons, etc.)

(3) Instrucions—Professors and teachers of all kinds, clerks and servants connected with education.

(4) Others (Priests, ministers and religious workers, public scribes, architects, surveyors, authors, editors, artists, sculptors, scientists, astrologers, musicians, conjurors, acrobats, etc.).

VIII MISCELLANEOUS

(i) Domestic service.
(ii) Beggers and vagrants.
(iii) Others.

Prof. N. G. Ranga: Our information is that a large number of Burma refugee labourers from Vizagapatam district have already been taken over to Burma through the medium of a number of contractors and other people. Have Government received no such information at all?

Mr. R. N. Banerjee: We have had complaints from the Honourable Member in the past and we are looking into the matter carefully and investigating it.

Shri Sri Prakasa: Will Government help such persons to go back to Burma, whose wives and children are still there and who are anxious to go back?

Mr. R. N. Banerjee: Oh, yes. The Honourable Member may refer to the statement which I have made in my reply to part (e) of the question.

Mr. Manu Subedar: Have Government received a representation from the Indian Merchants' Chamber this morning giving particulars of the difficulties brought in the way of Indians going from here merely on account of the arrangement with the Burma Government? Why are Government so solicitous regarding the availability of accommodation, etc.? Why not leave this matter to the merchants themselves if they went there?

Mr. R. N. Banerjee: I have not received any representation but I know that certain decisions have been taken by the Government of Burma. I do not agree that they are intended to make it difficult for the Burma Indian commercial houses to send their representatives back to Burma.

Mr. Manu Subedar: This is the reply which the Honourable Member has given us in this House since the beginning of this session. May I know what further steps Government have taken in order to reduce the rigour of the understanding which they have reached with the Burma Government, that the Burma Government will decide who is to enter Burma. Have this Government represented to the Burma Government that those who have got properties, those who have got assets in Burma should be given absolute preference and the Burma Government shall create no difficulties in their way?

erjee: In deciding the order of priority for the return of the various classes of evacuees the Government of India must also have a say. We have consulted all leading representatives of Burma Indians and we have drawn up an order of priority which has the full approval of the representatives of the Burma Indian organisations. We are doing our best to regulate the return in accordance with that. At the moment, I can assure the Honourable Member, we have got actually everything ready for obtaining shipping facilities, etc., for the return of quite a large number of representatives of business houses, certain replacements of staff of business houses and also certain other persons who have left properties there and whose return to Burma is considered desirable. It has been in accordance with the understanding to which I made reference that the Government of Burma have agreed to this.

Prof. N. G. Ranga: In fixing these priorities, are Government considering the claims of the Burma Refugee labour also to go back to Burma?

Mr. R. N. Banerjee: Yes, Sir

Prof. N. G Ranga: Will Government provide the necessary facilities for those who are interested in the welfare of Burma Refugee Labour to go to Burma and stay there at their own cost if necessary?

Mr. R. N. Banerjee: The suggestion will be considered.

Mr. K. C. Neogy: Will the Honourable Member please indicate the considerations that actually determine the priority that he has mentioned?

Mr. R. N. Banerjee: Generally, Sir, we give priority No. 1 to all those classes whose return is considered urgently necessary by the Government of Burma in order to further their programme of reconstruction of the country. Subject to that general principle, those Indians who have no home in India and for whom Burma is the only home are given priority No. 1. Next to that, Indians who have left properties behind in Burma; thereafter would come the commercial and professional classes. This is the general principle on which we have decided priority.

Mr. Manu Subedar: May I know why it has taken all these months for the Government to come to a decision about priority even though the civil administration was established long ago? May I know whether these priorities are merely on paper or shall we get on the move?

Mr. R. N. Banerjee: The priorities were decided eight or ten months ago. Speaking from memory the Civil Government went there only in October 1945 We have been very much handicapped by the lack of shipping facilities and also by the fact that accommodation and other local facilities are extremely limited in Burma. Even Burma Indian representatives who have been visiting Burma come and tell us that conditions are really very bad and that it would not be in the interest of the evacuees themselves to return there in large numbers without sufficient notice to the Government of Burma.

Mr. Manu Subedar: Why are Government so very solicitous of the conditions of particularly businessmen to which I referred? Why don't you leave them to find their own facilities and on this condition, will you give the immediate facilities to return to take care of the properties which they have left in Burma?

Mr. R. N. Banerjee: I am prepared to do that, Sir, but I hope it will be admitted that in a matter of this kind, we cannot adopt a one-sided programme. As far as possible, it would be wise for us to act in consultation with the Government of Burma. Apart from that, if a very large number of people do return, in the existing circumstances, there is every risk of local lawless elements turning against Indians. As the Honourable Member is aware, there has been a case of a distinguished Indian being assassinated in Burma.

Seth Govind Das: Has the Government of Burma any objection for businessmen returning to Burma, if they want to do so at their own expense and at their own risk?

Mr. B. N. Banerjee: No, Sir, they have no such objection.

Mr. K. C. Neogy: Will the Honourable Member please state whether there is any embargo either temporary or permanent in character contemplated in the matter of return of any category of these evacuees?

Mr. B. N. Banerjee: No, Sir.

TRANSFER OF HEADQUARTERS OF ARCHAEOLOGY AND EPIGRAPHY SECTION FROM OOTY TO MADRAS

267. *Prof. N. G. Ranga: Will the Education Secretary please state:

(a) whether it is a fact that the headquarters of the Archæology and Epigraphy Section for South India has been located at Ooty;

(b) whether it is not a fact that there has been a demand on the part of the public voiced over a number of years both in this House as well as outside, to transfer it to Madras, the centre for places of archæological interest in South India;

(c) whether it is also a fact that Government have promised to consider this favourably;

(d) why this has not been so far transferred to Madras; and

(e) whether it is a fact that Government propose to shift this office also to the far off Simla?

Dr. John Sargent: (a) The headquarters of the Southern Circle of the Archaeological Survey of India are located at Madras and not at Ootacamund. The headquarters of the Epigraphical Branch of the Survey are at present located at Ootacamund.

(b) to (d). So far as is known, only one request has been received from the public for the transfer of the Epigraphical Branch from Ootacamund to Madras. On the other hand, it has long been recognised by the Archaeological Survey itself that the headquarters of this Branch should be situated at Madras, but owing to dearth of suitable accommodation in Madras, the Branch could not be transferred to that place. The Government of India propose to construct buildings for its Offices in Madras and the question of transferring the Epigraphical Branch to Madras will be considered as soon as the buildings are ready.

(e) No.

INCREASE IN CARRIAGE OF GOODS BY SEA

268. *Mr. Manu Subedar: (a) In view of the fact that the pressure on the Railways is still heavy, what arrangements has the Honourable the Commerce Member made to increase carriage of goods by sea?

(b) What progress has been made with regard to the additional construction in India and what tonnage is expected to be built during 1946-47?

(c) At how many places are ships being constructed and of what size and by whom?

The Honourable Dr. Sir M. Azizul Huque: (a) With a view to augmenting the carrying capacity of the coastal fleet, Government have been arranging for the release, as early as possible, of ships on the Indian Register which were requisitioned for war purposes.

During the war steps were taken to divert traffic from the railways to the sea by various means and mainly by bans on certain rail movements, and by a scheme of equalisation of transport charges by steamer and rail. These measures, along with the control of coastal shipping to ensure satisfactory movement of essential cargoes, and the country craft organisation employed to secure increased use of country craft, will be continued till the transport situation improves.

(b) and (c). The information is being collected and will be laid on the table of the House in due course.

Mr. Manu Subedar: May I know whether the contemplated controls do not imply restriction in shipping? May I know whether the Government have considered this, that if controls are abolished the trade would find its own *facilities?*

The Honourable Dr. Sir M. Azizul Huque: *It is not exactly that;* control exists, but it is a question of relaxing control which we are trying to do as soon as possible.

Mr. Manu Subedar: How soon?

The Honourable Dr. Sir M. Azizul Huque: There are so many factors to be taken note of, the question of opening certain places, the question of proper service in those places which are occupied by the military parties, all these questions are to be gone into.

Sri M. Ananthasayanam Ayyangar: May I know if Government have received representations from country crafts owners in Mangalore that a number of restrictions have been imposed upon them, that they have been asked to execute bonds for safe delivery of cargo and that these restrictions are standing in the way of free carriage of cargoes along the coast?

The Honourable Dr. Sir M. Azizul Huque: I have not just heard of it, because the actual transport part of it is in charge of another Department. If my Honourable friend will give me the actual route, I will try to find out.

Sri M. Ananthasayanam Ayyangar: Has not my Honourable friend Mr. Karunakara Menon made representations to the Honourable Member himself in regard to this matter?

The Honourable Dr. Sir M. Azizul Huque: I have been receiving for some time past a number of representations, I have not yet been able to get replies to all of them. If representation has already been made as suggested by the Honourable Member, then I have already taken steps to get replies. I shall certainly send a reply when received.

Prof. N. G. Ranga: Are any definite steps being taken by Government to encourage the development of country crafts?

The Honourable Dr. Sir M. Azizul Huque: That is being done in the Planning and Development Department.

Prof. N. G. Ranga: Are any steps being taken now by the Government, apart from mere planning?

The Honourable Dr. Sir M. Azizul Huque: Our whole effort is to see that coastal traffic improves in the country.

Mr. Manu Subedar: With reference to part (c) the Honourable Member said he is collecting information. May I know whether the Government have taken any steps or continued the steps which they took during the war, for stimulating ship building in this country and whether it is not true that after the war, materials would be more readily available now if the Government pursued the same policy?

The Honourable Dr. Sir M. Azizul Huque: Yes, Sir. We are awaiting the report both of the Shipping Policy Committee on the one side and of the Planning Committee on the other and the question of shipbuilding is not such an easy matter as my Honourable friend seems to think that it can be easily done. We are really behind it.

CONTROL OF SHIPPING IN INDIAN WATERS

269. ***Mr. Manu Subedar:** (a) Will the Honourable the Commerce Member please state whether the control of shipping in Indian waters is still with the Ministry of War Transport representatives, or whether the Government of India have taken it over?

(b) What steps have been taken to bring down in the interest of the consumers of commodities the freight rates, which were fixed during the war period?

(c) What plan or programme have the Government got to increase tonnage, to meet the increased traffic between India and the neighbouring countries in the Indian Ocean in the west, and Burma and other neighbouring countries in the east?

The Honourable Dr. Sir M. Azizul Huque: (a) The attention of the Honourable Member is invited to the reply given by me to part (d) of his starred question No. 19, on the 5th February 1946, from which it will be seen that only ships on the British Register are controlled by the Ministry of War Transport.

(b) Freight rates were not controlled by Government except for a very short period in 1940. Freight rates during the war were high in keeping with the general rise in price level and wages, and although hostilities have ceased, the cost of operating a ship has not fallen appreciably except in regard to war risks insurance rates which, however, constitute only a minor item in the freight structure. Wages, and cost of fuel, repairs, etc., continue to be high. Government, however, hope that freight rates will be reduced as operating costs come down.

(c) Government will take all such measures as are open to them to ensure the provision of adequate tonnage in the trades mentioned.

Mr. Manu Subedar: When will the Ministry of War Transport in Indian waters definitely cease to operate and when will the Government of India take complete control of the ships doing coastal business?

The Honourable Dr. Sir M. Azizul Huque: As regards Ministry of War Transport in India, it should be addressed to the Honourable Member for War Transport; as regards the other part, I want notice.

Prof. N. G. Ranga: Is it not a fact that one of the reasons why freight rates are so high is the imposition of a high indemnity bond stamp duty to be paid by every shipper for every consignment?

The Honourable Dr. Sir M. Azizul Huque: I am not aware of it.

Mr. Manu Subedar: With regard to (c), the Honourable Member has not replied as to what plans or programme the Government have to increase tonnage to meet the increased traffic between India and the neighbouring countries in the Indian Ocean and Burma and other countries in the East?

The Honourable Dr. Sir M. Azizul Huque: All these matters are being considered but my friend should know that there are insistent voices on the other side, from the neighbouring benches, saying that we should have no export. You cannot increase tonnage if there is to be no export.

Prof. N. G. Ranga: Will Government inquire into the matter?

The Honourable Dr. Sir M. Azizul Huque: Yes, we are trying to do our best.

Mr. Manu Subedar: Sir, a little while ago, the Honourable Secretary of the Commonwealth Relations Department said that there were shipping difficulties in connection with sending people to Burma. If the shipping difficulties were so acute, may I not enquire what steps Government are taking to increase shipping in Eastern waters?

The Honourable Dr. Sir M. Azizul Huque: My friend is speaking as though we are still in the midst of war. Since the war time terminated, the situation has gradually become better and better and I think there must be a time lag between the actual cessation of hostilities and the time when normal state of things can be resumed. Tonnage does not mean only tonnage for the purpose of sending men. Trade forms a very important part of it and it is with reference to the trade that this question is being examined.

Mr. Manu Subedar: I am sorry to persist in my question. I would like to know what steps the Government of India have taken to increase the tonnage for trade in the Indian waters.

The Honourable Dr. Sir M. Azizul Huque: I want notice of the question.

Mr. Manu Subedar: The question is already there in part (c).

Mr. President: As regards the specific steps, the Honourable Member wants notice.

The Honourable Dr. Sir M. Azizul Huque: In fact, I have answered that question a few days before.

STEAMERS ON COASTAL TRADE OF INDIA

270. ***Mr. Manu Subedar:** (a) Will the Honourable the Commerce Member please state how many steamers were taken during the war from companies which were registered in India, or who were carrying on the coastal trade of India, and how many of them have been returned?

(b) What arrangements have Government made for increasing the tonnage in the Indian waters:

(i) by permitting companies to make purchases abroad;

(ii) by pressing for India's claim for a substantial portion of enemy merchants ships, which fell into the hands of the Allied Governments; and

(iii) by negotiation for purchase with the U.S.A., who are reported to have an enormous surplus?

The Honourable Dr. Sir M. Azizul Huque: (a) Fifty seven sea-going steamers of Indian registry were requisitioned. Of these 10 were lost by war or marine risk while under requisition; 33 were returned to the owners, and 14 are still under requisition.

(b) (i) Government's permission is not required for the purchase of ships abroad by companies. Government are, however, giving all practicable assistance to companies in making such purchases.

(ii) A claim on behalf of India for a share in the German merchant navy was pressed at the German Reparations Conference in Paris last November. A similar claim will be made in regard to Japanese ships in connection with the Japanese reparations.

(iii) According to information at my disposal the plans of the United States of America for the disposal of their surplus tonnage do not appear yet to have been finalised. When ships of that country actually become available for sale it would be for intending purchasers to negotiate direct with ship-owners in America. The Government of India would, however, be glad to consider any request for assistance from such purchasers.

Mr. Manu Subedar: What was the result of the effort of the Government of India to get a portion of the merchant navy of Germany as part of the reparations?

The Honourable Dr. Sir M. Azizul Huque: We pressed our claim along with others who pressed their claims. It was decided at the Conference that the German merchant navy available for distribution among the countries entitled to reparations should be distributed in proportion to the losses of merchant ships suffered by the respective countries through German action. So far as losses of India are concerned, they are negligible and therefore we are not certain what we will get.

Mr. Manu Subedar: In other words, we have failed to get anything from that direction.

The Honourable Dr. Sir M. Azizul Huque: In spite of the fact that the losses of India are negligible, even if I give him delegation power, how can my Honourable friend ask 'Although I have not lost any ship, still I must have my share'?

Mr. Manu Subedar: With regard to the 14 which are still under requisition, may I know if these cannot be released for the civil population straight away. May I know whether they are so very important for the military goods movement that the civil population should still continue to be deprived of their use?

The Honourable Dr. Sir M. Azizul Huque: I am not yet certain about the position. My impression is that a number of the ships are actually in service for the purpose of supplying the essential requirements of India but there are certainly some ships which are requisitioned for defence purposes. We are actively pursuing this and we are trying our best to de-requisition these as soon as possible.

COMPARATIVE RISE OF PRICES IN INDIA AND ENGLAND

271. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member please state how many index numbers are maintained by the Government of India and on what basis?

(b) Is it a fact that the prices, on which these index numbers are based, are those fixed by Government?

(c) Is it a fact that the civil population was unable generally to secure material at these prices beyond the meagre ration, or had to pay heavier prices at the black market?

(d) Will Government give the comparative rise of prices in India and in the United Kingdom?

(e) Have Government considered, and do they propose to give causes why the rise of prices in India has been very much heavier, and why India is a country suffering from very heavy inflation?

The Honourable Dr. Sir M. Azizul Huque: (a) 55 series of index numbers are maintained by the Government of India. Price indices are based on quotations from selected centres and profit indices on balance sheets of companies. Index numbers for declared values of imports and exports are based on returns received from Collectors of Customs.

(b) No, Sir. They are based on prevalent market rates reported to Government by Chambers of Commerce or similar bodies.

(c) Government have no reason to believe that the public have generally found it necessary to pay more than the controlled prices for their essential or rationed requirements.

(d) Between August 1939 and October 1945, wholesale prices in London as measured by the Board of Trade Index Numbers rose by 73 per cent. while during the same period wholesale prices in India as measured by the Economic Adviser's Index for all commodities rose by 144 per cent.

(e) The answer to the first part of the question is in the affirmative. As regards the second part, the relatively greater rise in prices in India has been due to a variety of factors which it would be impossible to explain briefly in an answer to a question. Reference is, however, invited to paragraphs 45 and 46 of Sir Jeremy Raisman's Budget speech in this House, on the 29th February 1944.

Mr. Manu Subedar: Since that Budget speech to which the Honourable Member has referred, twelve months have passed and in view of the distress to all classes whose incomes are fixed, in view of the very serious distress experienced by all including Government servants, will Government make an effort to bring down these prices?

The Honourable Dr. Sir M. Azizul Huque: I am answering the question on the pure economic plan as to what are the index figures but if my friend wants to put a general question, it will have to be addressed to the different Departments on different specific matters. Government has been pursuing a policy of stabilising prices as soon as possible.

Seth Govind Das: With respect to clause (c) of the question, does the Government think that the people get things in the black market at less price?

The Honourable Dr. Sir M. Azizul Huque: My friend is probably more aware of the black market than myself.

PURCHASES BY U. K. C. C. IN INDIA

272. *Mr. Manu Subedar: (a) Has the Honourable the Commerce Member got a complete statement of the purchases made by the U.K.C.C. in this country since the beginning of their operations? If so, what is the total value?

(b) Is it a fact that the operations of the U.K.C.C. were responsible for increasing the evils of inflation in India?

(c) Have Government asked for any share of the profits made by the U.K.C.C. in India, having regard to the special facilities given by Government to the U.K.C.C. to carry on their business in India?

The Honourable Dr. Sir M. Azizul Huque: (a) Yes, Sir. The total value is Rs. 18 crores 31 lakhs.

(b) No, Sir.

(c) The Honourable Member's attention is invited to the reply given on the 7th November 1944, to parts (b), (c) and (d) of his Starred Question No. 148.

Mr. Manu Subedar: What were the special facilities given to the U.K.C.C.?

The Honourable Dr. Sir M. Azizul Huque: My friend has assumed that special facilities have been given and has asked as to what are those facilities.

Mr. Manu Subedar: I want to know from my Honourable friend whether import and export licenses were not freely given to the U.K.C.C., whether wagon priorities were not freely given to them; whether exemptions from certain taxes were not given to them. What were the other facilities, if any? Will not my friend make an effort, if not now, later in the session, to give me a clear statement as to what were the facilities given to the U.K.C.C.?

The Honourable Dr. Sir M. Azizul Huque: Sir, I would rather like notice of this question as to what facilities they had. That will require an investigation from different Departments but here I am answering a question in which he has himself assumed that they received special facilities.

Mr. Manu Subedar: In view of the fact that this U.K.C.C. was a Corporation belonging to His Majesty's Government and it involves State trading which is liable to taxes in this country, may I not enquire whether Government has claimed any share of the profits from the U.K.C.C?

The Honourable Dr. Sir M. Azizul Huque: As regards taxes, it is not for me to answer this question. It should be addressed to the proper quarters. As regards the profits, I did answer that we were not aware of the big profits that the U.K.C.C made.

Mr. Manu Subedar: Have not Government been aware that things like sugar, paper, chemicals, and medicine purchased by the U.K.C.C. in this country were sold elsewhere five and ten times the price, such as tea, sugar, etc., which they bought here, and why has this profit which belongs to India been permitted by this Government to go to a foreign Corporation.

The Honourable Dr. Sir M. Azizul Huque: My friend assumes that there was a profit. I am not aware of this and to end all these discussions and criticisms, I had a conference in Bombay in which the representatives of the Chambers of Commerce were present and there I was supplied all facts which did not show that heavy profits were made.

Mr. Manu Subedar: The facts are not in India; but from the Middle East countries where the U.K.C.C. sent out these goods, it was for the Government of this country to ascertain the facts as I am mentioning them. It is still for my Honourable friend to ascertain whether the U.K.C.C. did not sell tea and sugar in Persia and other Middle East countries at five and ten times the price they purchased here, and if all that was profit, why has Government neglected the opportunity of sharing in that profit.

The Honourable Dr. Sir M. Azizul Huque: I am not aware of them and my friend puts the question about the extent of profit the U.K.C.C. made in sugar and tea. I will certainly try and give an answer after collecting the facts.

REPORT OF MICA ENQUARY COMMITTEE.

273. *Shri Satya Narayan Sinha: (a) Will the Honourable the Labour Member be pleased to state if he has received the report of the Mica Enquiry Committee presided over by Mr. Justice Reuben?

(b) Is it a fact that the Committee have recommended that the ban on the sale of crude and Bima Mica under the Mica Control Order should be modified if not altogether lifted?

(c) Are Government aware that the present ban on the sale of crude and Bima Mica has led to the unemployment of several lakhs of mica labourers?

(d) When do Government contemplate to lift the ban on the sale of crude and Bima Mica?

(e) When do they intend to publish the report of the Committee?

Mr. S. C. Joshi: (a) Yes.

(b) Yes.

(c) No.

(d) The question needs examination in the light of Mica Enquiry Committee's report.

(e) Matter is under consideration, but the report will be published as soon as copies are printed.

Prof. N. G. Ranga: Are we to understand from the answer to part (c) of this question that several lakhs of Mica labourers are unemployed?

Mr. S. C. Joshi: We have no information that they are unemployed.

Babu Ram Narayan Singh: In view of the fact that as a result of the Mica Control Order several lakhs of people have been thrown out of employment, may I know in whose interest Government intend to regulate the Mica trade?

Mr. S. C. Joshi: We have no information as to the number of people thrown out of employment. The only persons likely to be affected were the small traders. But it was expected that most of them would have found employment elsewhere.

Prof. N. G. Ranga: Has Government done anything to help this Mica industry?

Mr. S. C. Joshi: Government is doing.

Prof. N. G. Ranga: What is it?

Mr. S. C. Joshi: That is now under consideration and steps will be taken in the light of the recommendations made by the Committee.

Prof. N. G. Ranga: Does it not mean that Government has not been doing anything till now? They have now appointed a committee and awaiting its report.

Mr. President: Order, order.

Babu Ram Narayan Singh: What is the underlying policy of Government in regard to the Mica Trade?

Mr. S. C. Joshi: It is broad a question to be answered as supplementary.

Babu Ram Narayan Singh: Isn't it a fact that in this Mica business the Government of India is playing into the hands of one Mr. Watson, the Manager of the American Christian Company of Panama?

Mr. S. C. Joshi: I have no information.

Mr. President: Next question.

Mr. Geoffrey W. Tyson: Will the Government make enquiries whether the company referred to has not been sold to Indian interests?

Mr. S. C. Joshi: Enquiries will be made.

ECONOMIC SANCTIONS AGAINST SOUTH AFRICA.

274. *Seth Govind Das *(on behalf of* ***Maharajkumar Dr. Sir Vijaya Ananda****)*: *Will the Secretary, Commonwealth Relations Department be pleased to state* if it is a fact that Mr. Amery, the former Secretary of State for India, prevented the Indian Government from imposing economic sanctions against South Africa?

Mr. R. N. Banerjee: No.

(Several Honourable Members raised their voices at the answer "No.")

Mr. President: Order, order.

Seth Govind Das: Does the Honourable Member deny that no communication has been received by the Government of India from the Secretary of State?

Mr. R. N. Banerjee: That is quite a different question. The question is whether the Secretary of State asked us not to enforce sanctions.

Prof. N. G. Ranga: Have you information that the Secretary of State for India has sent a communication to the Government of India that they were contemplating to impose economic sanctions against South Africa?

Mr. R. N. Banerjee: It will not be in the public interest to make any further statement on the subject.

Seth Govind Das: Hear, hear!

Mr. President: Order, order.

DETENTION OF INDIANS FOR COLLABORATION WITH ENEMY

275. *Seth Govind Das: (a) Will the Secretary, Commonwealth Relations Department be pleased to state if it is a fact that a very large number of Indians are behind the bars in Malaya on a charge of collaboration with the enemy?

(b) If the answer to (a) is in the affirmative, what is the number of such persons detained at present?

(c) What facilities are being given to these persons for securing proper legal assistance and getting in touch with their relatives and friends in India?

Mr. R. N. Banerjee: (a) and (b) Our information is that at present 24 Indians are in detention. Out of these two have been convicted of charges of causing hurt with intent to extort confession, five are detained on charges of collaboration and the rest, on charges of collaboration and brutality, torture or cruelty.

(c) The Government of India is providing legal assistance. These persons are allowed to correspond with relatives and friends in India. Local relatives and friends are also allowed to visit them.

Seth Govind Das: How much till now has been spent by the Government of India in giving them legal assistance?

Mr. R. N. Banerjee: I cannot say how much has been spent actually up to date. But as I explained the other day to the House our representative has ample authority to incur any expenditure that he considers necessary and reasonable for giving relief to Indians.

Shri Sri Prakasa: Is it a fact that Government is defending persons in Malaya for just such offences for which they are prosecuting them in India?

Mr. R. N. Banerjee: I am sorry I could not follow the question.

Seth Govind Das: Is it a fact that certain relatives of these people in Malaya who are living in India wanted to go to Malaya and they were not given proper facilities to go there?

Mr. R. N. Banerjee: I have had no such case brought to my notice and there is no reason why it should be so.

Shri Sri Prakasa: I was asking whether it was not a fact that the very offences which the Honourable Member says men in Malaya have committed, for which they are being defended, have been committed by others for which the Government of India is prosecuting them in the Red Fort and elsewhere? How is it that Government defends persons at one place for the very offence for which it prosecutes at another place?

(Mr. P. Mason and Mr. B. N. Banerjee were seen consulting together.)

Shri Sri Prakasa: Let both answer together!

Mr. R. N. Banerjee: That is a remarkable instance of impartiality!

Mr. President: Next question.

SHADOWING OD SUSPECTED PERSONS FOR SO-CALLED COLLABORATION WITH ENEMY.

276. *Seth Govind Das: Will the Secretary, Commonwealth Relations Department please state if it is a fact that in Malaya and Burma persons who had received clear certificates of exoneration from law courts after having been kept confined for a long time for the so-called collaboration with the enemy, continued to be shadowed and suspected and were unable to resume their normal avocations? If so, what were the reasons in general?

Mr. R. N. Banerjee: No such cases have come to our notice.

COLLABORATION WITH ENEMY OF A BRITISH POSTAL OFFICER

277. *Seth Govind Das: (a) Will the Secretary, Commonwealth Relations Department please state if it is a fact that a British Postal Officer was compelled by force of circumstances to organise the Japanese Postal Savings Bank in Malaya and Burma and persuade Indians to put their money in it?

(b) If the answer to (a) is in the affirmative, does this officer stand charged with collaboration with the enemy? Has his case been decided? If so, with what results?

Mr. R. N. Banerjee: (a) and (b) Government have no information but necessary enquiries will be made if the Honourable Member can furnish further details regarding the Officer.

INDIAN LABOURERS FROM BURMA TO SINGAPORE

278. *Seth Govind Das: (a) Will the Secretary, Commonwealth Relations Department please state if it is a fact that the Japanese had taken a very large number of Indian labourers from Burma to Singapore? If so, what was their total number? Out of that how many have returned back, and how many are still missing?

(b) What arrangements have been made or are being made for the families and dependants of the missing Indian labourers who were left at the mercy of the cruel and unscrupulous enemy?

(c) Do the Government of India propose to exercise its influence on the respective Governments of Malaya and Burma for the benefit of their dependants who are victims of dire penury and disease these days?

Mr. R. N. Banerjee: (a) A large number of Indian labourers had been taken by the Japanese from Burma; but no information about their number and subsequent fate is available.

(b) and (c) In Burma, cases deserving of assistance are dealt with by the Labour Welfare Department of the Government of Burma. Indian labourers of any description found in Malaya get the benefit of British Military Administration's relief camps and are given relief from the funds placed by the Government of India at the disposal of their Representative. Our Representatives in both countries are keeping an eye on such cases.

Seth Govind Das: Is it not a fact that the funds which have been kept with representative of the Government of India are very meagre?

Mr. R. N. Banerjee: Not at all. As I explained just now, he has got full discretion to incur any expenditure that he considers necessary and reasonable to grant relief.

(b) WRITTEN ANSWERS

LOSS TO INDIANS IN MALAYA DUE TO CHANGE OF CURRENCY

279. *Seth Govind Das: (a) Is the Secretary, Commonwealth Relations Department aware of the fact that Indians in Malaya have lost very heavily due to the change of currency on two occasions on account of the change of Government?

(b) Have the Governments of Burma and Malaya exchanged or do they propose to exchange the Japanese currency which remained with the Indians in Malaya and Burma after the capture of these places from the hands of the Japanese?

Mr. R. N. Banerjee: (a) Reports have been received that owing to invalidation of the Japanese currency, many Indians in Malaya have been put to loss.

(b) As regards Malaya, the reply is in the negative. Information regarding Burma is being collected and will be furnished when received.

IMPORT OF COSMETICS, ETC., FROM U.S.A.

280. *Mr. Vadilal Lallubhai: (a) Will the Honourable the Commerce Member be pleased to state whether it is a fact that ordinary consumer's goods such as cosmetics processed foods, etc., are allowed to be imported from the U.S.A. although such goods can easily be imported from the sterling area, and that a very restrictive policy is followed in granting licences for import of plant and machinery from the Dollar Area?

(b) If the reply to (a) is in the affirmative, why is dollar exchange being frittered away in this manner and not being preserved for importing capital goods?

(c) Is it a fact that dollar exchange is not being made available for capital equipment to the extent that it is possible?

The Honourable Dr. Sir M. Azizul Huque: (a) No, Sir. Licences for imports from the United States of America of goods of consumer type as well as of plant and machinery are issued to the extent that is considered essential, having regard to the possibility of supplies from the sterling area and local production. Moreover, in the case of consumer goods the necessity for maintenance of pre-war trade connection is kept in view.

(b) Does not arise.

(c) Dollar exchange for the purpose of capital equipment is being made available as required to satisfy the principles mentioned in (a) above.

PURCHASE OF WHEAT BY UNITED PROVINCES GOVERNMENT

281. *Shri Sri Prakasa: (a) Will the Secretary, Food Department be pleased to state the amount of wheat purchased by the Government of the United Provinces for the year 1945?

(b) When and at what prices was wheat sold at Government Ration shops at various periods of the year?

(c) Was the price increased from time to time?

(d) What was the amount of profit made by Government by the sale of wheat?

Mr. B. R. Sen: An enquiry has been made from the U.P. Government and the information will be laid on the table of the House when received.

PRICE OF WHEAT IN DELHI

282. *Shri Sri Prakasa: (a) Will the Secretary Food Department be pleased to state the price of wheat in Delhi in ordinary Ration Shops and in shops meant for Government Servants?

(b) Has the price of wheat in any of these shops been increased with effect from February 1, 1946? If so, what are the reasons for this increase?

(c) What profit, if any, do the Government of India expect to make by such increase of price?

Mr. B. R. Sen: (a) The retail price of wheat at all ration shops is Rs. 10/15/- per maund. Wheat is, however, sold to Government servants drawing Rs. 300 or less at a concession rate of Rs. 9/8/- per maund, the balance being paid to the retail dealers by Government.

(b) No.

(c) Does not arise.

CENTRAL ADVISORY BOARD OF EDUCATION

283. *Shri Sri Prakasa: (a) Will the Education Secretary be pleased to state the number of times the meetings of the Central Advisory Board of Education are held on an average per year?

(b) When were the meetings of the Central Advisory Board of Education last held?

(c) Did not the dates clash with the opening of the present session of the Assembly?

(d) Were the members of this Assembly, who were members of the Board also, unable to attend it because of this clash?

(e) Will the Department in future, so arrange these meetings, if held outside Delhi, that they do not coincide with the dates of the Assembly?

Dr John Sargent: (a) One.

(b) On the 24th, 25th and 26th January, 1946.

(c) Yes.

(d) No. With the dissolution of the previous Assembly, the representatives of that body ceased to be members of the Central Advisory Board of Education. The two gentlemen in question were however invited by the Chairman to attend the meeting as observers.

(e) Yes; this is usually done. On the last occasion, the dates were fixed so as to suit the convenience of the Mysore Government whose guests the Board were. At the time, it was hoped that they would not clash with the dates of the Budget Session of this Assembly. When the dates of this Assembly Session were announced the question of changing the dates of the meetings of the Board was carefully considered but it was not found practicable

ESTABLISHMENT OF CONSULAR AND COMMERCIAL AGENCIES

284. *Sri M. Ananthasayanam Ayyangar: Will the Honourable the Commerce Member please state:

(a) the foreign countries which have consular or commercial agencies in India of any kind;

(b) whether in those countries India is represented officially by any consular or trade or commercial representatives; and

(c) whether Government is considering the question of establishing such agencies in all countries which are represented in India, and in other countries also where it may be possible to do so?

The Honourable Dr. Sir M. Azizul Huque: (a) and (b) A statement showing the foreign countries which have consular or commercial representation in India and those in which India is represented officially by consular or trade representatives is placed on the table.

(c) The reply is in the affirmative.

Statement showing the foreign countries which have consular or commercial representation in India and indicating whether India has arranged for reciprocal representation in those countries.

Name of the country	Nature of representation	Whether India has reciprocal representation
Afghanistan	Direct representation	Yes
Argentine	Post is vacant	Yes
Australia	Direct representation	Yes
Belgium	ditto	Yes
Bolivia	ditto	Yes
Brazil	ditto	Yes
Canada	ditto	Yes
Ceylon	ditto	Yes
China	ditto	Yes
Colombia	ditto	Yes
Costa Rica	Post is vacant	Yes
Cuba	Direct representation	No
Czechoslavakia	ditto	No
Denmark	Consulate has no official status at present, consular privileges being continued as an act of grace	No No Yes
Dominion Republic	Direct representation	No
Ecuador	ditto	Yes
Egypt	ditto	Yes
France	ditto	Yes
Greece	ditto	No
Hayiti	ditto	No
Iran	ditto	Yes
Iraq	ditto	Yes
Liberia	Post is vacant	No
Luxemburg	ditto	Yes
Mexico	ditto	No
Monaco	ditto	Yes
Nepal	Direct representation	Yes
Netherland	ditto	Yes
Netherlands East Indies	ditto	No
Nicaragua	ditto	Yes
Norway	ditto	No
Panama	American officers are in charge of Panama's interests.	No
Poland	Post vacant	No
Portugal	Direct representation	Yes
Salvador	Post is vacant	Yes
South Africa	Direct representation	Yes
Spain	ditto	Yes
Sweden	ditto	No
Switzerland	ditto	Yes
Turkey	ditto	Yes
U. K.	ditto	Yes
U. S. A.	ditto	Yes
U. S. S. R.	ditto	No
Uruguay	Post is vacant	Yes

SHORT NOTICE QUESTION AND ANSWER

PERMISSION TO LADY TILAK TO RETURN FROM BURMA

Sri R. Venkatasubba Reddiar: Will the Secretary for Commonwealth Relations be pleased to state:

12 Noon (a) if the attention of the Government has been drawn to an article under the heading "The Black" and "White Lists" on page 5 of the *Hindustan Times*, dated the 11th February, 1946;

(b) if the Government is aware that the lady (Mrs. Tilak) is actually starving and has none to take care of her in Burma and has no means of maintaining herself; and

(c) if the Government will permit her to come to India and join her husband at a very early date?

Mr. R. N. Banerjee: (a) Yes.

(b) and (c) Our Representative with the Government of Burma has been instructed to take up actively with that Government all cases of stranded Indians anxious to return to India and to secure necessary facilities for them. Government have no information about Mrs. Tilak's condition, but agreed on the 29th December in reply to a reference from the Military Authorities in Burma, to her repatriation in a ship due to sail from Rangoon early in January. They have heard nothing further of her case, and are now instructing their Representative to contact her, give her such assistance as she may require immediately and take action to expedite her return to India.

Sri M. Ananthasayanam Ayyangar: May we know what has happened to the ship?

Mr. R. N. Banerjee: I have no information

Shri Sri Prakasa: Will Government please state the special circumstances in which Mr. Tilak was brought from Burma to India?

Mr. R. N. Banerjee: I require notice of that question

Sri M. Ananthasayanam Ayyangar: May we know if the steamer sailed from any of the ports of Burma?

Mr. R. N. Banerjee: I have no further information.

Shri Sri Prakasa: Will Government take proper steps to see that Mrs. Tilak and her baby are provided for till a ship sails?

Mr. R. N. Banerjee: I would refer the Honourable Member to the reply to parts (b) and (c) of the question.

Sri M. Ananthasayanam Ayyangar: May we know if any allowance is being given to her and her child?

Mr. R. N. Banerjee: I have no information.

DECLARATION DIRECTING CERTAIN BUDGET HEADS OF EXPENDITURE OPEN TO DISCUSSION BY THE LEGISLATIVE ASSEMBLY.

Mr. President: I have to inform Honourable Members that His Excellency the Governor General has passed an Order under sub-section (3) of section 67A of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, directing that the heads of expenditure specified in that sub-section, other than those specified in clause (v) thereof, will be open to discussion by the Legislative Assembly when the Budget for the year 1946-47 is under consideration.

APPOINTMENT OF THE HONOURABLE SIR EDWARD BENTHALL TO PERFORM FUNCTIONS OF THE FINANCE MEMBER AT RAILWAY BUDGET GENERAL DISCUSSION.

Mr. President: I have also to inform Honourable Members that His Excellency the Governor General has, under rule 2 of the Indian Legislative Rules, been pleased to appoint the Honourable Sir Edward Benthall to perform the functions assigned to the Finance Member under rule 46 of the said Rules on the occasion of the general discussion appointed for Wednesday, the 20th February, 1946, of the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of Railways.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR COMMERCE DEPARTMENT

Mr. President: I have also to inform the Assembly that upto 12 Noon on Monday, the 11th February, 1946, the time fixed for receiving nominations for the Standing Committee for the Department of Commerce, eleven nominations were received. Subsequently one Member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following Members to be duly elected to the Committee for the unexpired portion of the current financial year and the financial year 1946-47: (1) Mr. E L C Gwilt, (2) Mr. Sukhdev Udhowdas, (3) Mr. Ananda Mohan Poddar, (4) Mr. Krishna Chandra Sharma, (5) Mr. Rohini Kumar Chaudhuri, (6) Rai Bahadur D M. Bhattacharyya, (7) Captain Sardar Harendra Singh, (8) Mr. Ahmed Ebrahim Haroon Jaffer, (9) Mr. M. J. Jamal Moideen Saib, and (10) Seth Yusuf Abdoola Haroon.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR INDUSTRIES AND SUPPLIES DEPARTMENT

Mr. President: I have further to inform the Assembly that upto 12 Noon on Monday, the 11th February, 1946, the time fixed for receiving nominations for the Standing Committee for the Department of Industries and Supplies, eleven nominations were received. Subsequently one Member withdrew his candidature As the number of remaining candidates is equal to the number of vacancies, I declare the following Members to be duly elected to the Committee for the unexpired portion of the current financial year and the financial year 1946-47: (1) Mr. A. C. Inskip, (2) Mr. T. A. Ramalingam Chettiar, (3) Mr. Vadilal Lallubhai, (4) Mr. Gauri Shankar Saran Singh, (5) Mr. Manu Subedar, (6) Rai Bahadur D. M. Bhattacharyya, (7) Lt.-Col. Dr. J. C. Chatterjee, (8) Khan Bahadur Hafiz M Ghazanfarulla, (9) Mr. Ali Asghar Khan, and (10) Shaikh Rafiuddin Ahmad Siddiquee.

Sir Gurunath Bewoor (Secretary, Posts and Air Department): Sir, in the course of replies to supplementary questions yesterday, I made a statement with regard to the alleged notice of strike given by the All India Union of Postmen and Lower Grade Staff. I then stated that the Director General had not yet received any such notice. That statement was strictly correct at the time I made it; but I subsequently came to learn that at 12-30 P.M., the Director General had received by post a communication from Bombay, dated the 12th February—a communication purporting to be a notice of strike under Rule 81A of the Defence of India Rules and under section 15 of the Trade

[Sir Gurunath Bewoor.]

Disputes Act. I am taking the earliest opportunity of removing any wrong impression that may have been created in this House that no notice had been received. We are taking the necessary action in that connection, but I think it my duty to inform the House of the facts of the case.

Srijut Dhirendra Kanta Lahiri Choudhury (Bengal: Landholders): I just want to know if the strike notice, which was received by the Director General was from the All India Postal and R.M.S. and Telegraph Union or from the Bombay branch or what. The Honourable Member has not informed us of that fact.

Sir Gurunath Bewoor: The notice is sent by the General Secretary, and purports to be from the All India Postmen and Lower grade Staff Union Bombay is its headquarters but it is in an all-India union.

ELECTION OF MEMBERS TO ALL-INDIA COUNCIL FOR TECHNICAL EDUCATION

Dr. John Sargent (Secretary, Education Department): Sir, I beg to move:

"That the Members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, two persons from among their own number to be members of the All-India Council for Technical Education constituted by the Government of India."

Perhaps since this is a new body on which this House has not previously been asked to appoint any representatives, you will allow me to say a word or two in explanation of its aims and objects.

This Council has been constituted by the Government of India at the end of last year in view of the recommendation contained in the plan prepared by the Central Advisory Board of Education for Post War Development in education, that there ought to be an All-India body capable of surveying the needs of the country as a whole for advanced technical education and for advising the Central Government and Provincial Governments, universities and other bodies responsible for this branch of education as to the best way of satisfying those needs. The Council has not yet met, but we hope it will meet in the very near future. In fact it would have met before now, but we have had to wait for the appointment of representatives of this House upon it. I should be delighted to give any further information about the constitution of the Council. What of course the council will be able to achieve is all in the future at the moment.

Mr. President: Motion moved.

"That the Members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, two persons from among their own number to be members of the All-India Council for Technical Education constituted by the Government of India."

Mr. President: To this motion there is one amendment by two different Members—Mr. Sinha and Prof. Ranga. I am afraid the amendment will not be in order for the simple reason that this is not a committee of the House, but a committee which, as the Honourable the Education Secretary has stated just now, constituted by the Government of India; and the constitution of the committee is prescribed by some notification of the Government of India; further, the committee consists of various representatives from other bodies. So long as that constitution and the notification stand, the number of representatives from this House . . . . .

Prof. N. G. Ranga (Guntur *cum* Nellore Non-Muhammadan Rural): Sir, I submit . . . . .

Mr. President: The Honourable Member will first please try to understand the point which I am placing before the House and then I am prepared to hear him and any other Member on the subject. But I do not think the point need

take long at all. The long and short of it is that, the committee is constituted by an independent authority; and on that committee, representation is given to this House to the extent of two Members. Therefore the only thing that this House can do, at this stage, will be to elect two representatives as provided for by the constitution of that committee. If they want a change in the constitution of the committee, then that constitution will have to be altered and the proper procedure will be a motion for a recommendation to the Government of India to change the constitution of the committee. That is how, I believe, the position stands. Therefore, the amendment to increase the membership from two to five will not be in order. That is what I feel, but with a view to enable Members to have their say on this subject, I do not declare it just now as being out of order. Is that the position?

Dr. John Sargent: Sir, I am afraid as a very young member of this Honourable House I cannot speak with any authority on procedure, but the difficulty which you have stated is correct.

Mr. President: What I want to know from the Honourable Member is whether this committee is constituted by the Government of India . . .

Dr. John Sargent: Yes, Sir.

Mr. President: . . . and whether it is constituted by a separate notification. Will he please read the notification or tell the House the constitution of the committee?

Dr. John Sargent: I do not think I need read out the whole of the notification. In the notification it is stated 'that the council will contain two Members of the Legislative Assembly, elected by the Legislative Assembly'. I may say that I should be glad if the difficulty can be got over as we are most anxious to enlist the interest of this House in education. If there had been no technical difficulty, I would have gladly accepted the amendment.

Mr. President: It is not the question of willingness or otherwise of the Government; it is a question of procedure.

Mr. M. Asaf Ali (Delhi General): I am very glad, Sir, that you have clarified the position as far as your interpretation of the constitution is concerned. But it appears that my Honourable friend, Dr. John Sargent, who represents the Education Department in this House is not unwilling to consider the recommendation of this House, and even if there were any technical difficulty in the way, the amendment, which is now proposed, should be considered in order that it may have the affect of making a recommendation to the appropriate authority to reconsider the situation and change the rules if necessary. After all it is but only proper that when a proposition comes before this House, this House should express its wishes in whatever manner it feels it should. If your interpretation is correct, Sir, we may not be in a position immediately to add two or three more members to the constitution of the committee, but it will remain on record and if it remains on record it is quite possible that within a short time we may find that the authorities concerned have reconsidered the position and the whole situation has changed, and to that extent I feel that the amendment which has been proposed should not be ruled out of order.

Mr. President: I am afraid I am not able to agree with the Honourable the Deputy Leader, that the amendment should be permitted. The House will get an opportunity of expressing its views when the motion is being discussed, but there is a shorter procedure to attain the objective. As the Honourable the Education Secretary has expressed his willingness to have five members, the present motion, as also the next motion, may stand over for the time being, the notification may be revised in the meanwhile, and then the motion may come on and the amendment permitted. That will be the best course, I think.

Dr. John Sargent: I welcome that suggestion, Sir.

Mr. President: Then consideration of the motion which has been moved is postponed. The next motion will be moved later on and not now.

Mr. S. C. Joshi (Government of India: Nominated Official): Sir, I move for leave to introduce a Bill further to amend the Factories Act, 1934.

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Factories Act, 1934."

The motion was adopted.

Mr. S. C. Joshi: Sir, I introduce the Bill.

TRANSFER OF PROPERTY AND SUCCESSION (AMENDMENT) BILL

The Honourable Sir Asoka Roy (Law Member): Sir, I move:

"That the Bill further to amend the Transfer of Property Act, 1882, the Hindu Disposition of Property Act, 1916, and the Indian Succession Act, 1925, be taken into consideration."

Honourable Members have, I believe, read the Statement of Objects and Reasons which sets out briefly the case for the Bill. Section 113 of the Indian Succession Act provides that where a bequest is made to a person not in existence at the time of the testator's death, subject to a prior bequest contained in the will, the later bequest shall be void unless it comprises the whole of the remaining interest of the testator in the thing bequeathed.

In relation to transfers, a similar provision is contained in Section 13 of the Transfer of Property Act, 1882. Before the decision of the Privy Council in Sopher *v* The Administrator General of Bengal, to which reference has been made in the Statement of Objects and Reasons, section 13 of the Transfer of Property Act and section 113 of the Indian Succession Act were construed by the legal profession in India, particularly in the Presidency towns, to mean that an interest created in favour of an unborn person must, at the date it rests in such unborn person, be the whole remaining interest of the settlor or the testator. According to this construction, trusts were created and wills made giving a life estate to a child in existence and on the death of such child giving the corpus of the estate to the children of such child, who at the date of the settlement or the death of the testator may be unborn and who may survive the life tenant. The judgment of the Privy Council in Sopher's case was passed on the 6th March 1944 and the Privy Council laid down that if under a bequest in the circumstances mentioned in Section 113 of the Indian Succession Act there is a possibility of the interest given to a beneficiary being defeated either by a contingency or by a clause of defeasance, the beneficiary under the later bequest does not receive the interest bequeathed in the same unfettered form as that in which the testator held it and the bequest to him does not therefore comprise the whole of the remaining interest of the testator in the thing bequeathed.

I need not trouble the House with the facts of that particular case in detail. But I will read a portion from the head note of the case reported in 71 Indian Appeals at page 93.

"Accordingly, where, on the construction of a will, bequests of income of the residuary estate to unborn grandchildren of the testator during his widow's life-time were contingent on their surviving their fathers, to whom prior bequests of the income had been made, and subsequent bequests to the unborn grandchildren after the widow's death of the corpus of the residuary estate were subject to the double contingency of their attaining the age of eighteen years and of also surviving their fathers the bequests to the unborn grandchildren were void under section 113 of the Indian Succession Act since they did not comprise all the interest of the testator in the thing bequeathed".

Honourable Members will note that the Privy Council were giving an interpretation or meaning to the words "the whole of the remaining interests of the testator in the thing bequeathed". After the Privy Council judgment, the Bombay High Court has had occasion to consider Section 113 of the Indian Succession Act and Section 13 of the Transfer of Property Act: and the Bombay High Court has construed the decision of the Privy Council in a manner which makes creation of trusts in favour of unborn persons almost impossible. The

High Court of Bombay has expressed the opinion that even a power of revocation, which is a common provision in deeds and trusts or a provision made for the management of the interest of the unborn persons after their birth and during their minority, had the effect of derogating from the entirety of the remaining interest which is required by these sections to vest in the unborn person and of making the trust void.

Sir, the decision of the Privy Council and the Decision of the Bombay High Court have had the effect of unsettling titles to properties of large value in a great number of cases.

I may remind the Honourable Members of this House that the object of Sections 13 and 14 of the Transfer of Property Act and Sections 113 and 114 of the Indian Succession Act is to prevent an estate being tied up for a length of time which is considered by the Legislature to be against public policy. The rule against perpetuity contained in Section 14 of the Transfer of Property Act and 114 of the Indian Succession Act is one of the provisions designed to attain that object. The rule about giving an estate to unborn persons which does not comprise the whole remaining interest of the Settlor or testator therein is another limitation. Sir, the rule contained in Section 13 of the Transfer of Property Act and Section 113 of the Indian Succession Act is somewhat analogous to the English common law rule laid down in the case of Whitby v Mitchell to which reference has been made in the Statement of Objects and Reasons. That rule of the English common law has now been abolished by Section 161 of the Law of Property Act 1925. The only limitation now existing in English law is the rule against perpetuity which is analogous to the provisions of Section 14 of the Transfer of Property Act and Section 114 of the Indian Succession Act.

Sir, in the present state of Indian society, I think Honourable Members will agree that it is not necessary to continue to fetter the Indian settlor's or testator's right of disposition in a manner beyond that affected by the rule against perpetuity. Moreover, Sir, as I pointed out, having regard to the interpretation now given to the words "the whole of the remaining interest" found in this section by the Privy Council and the Bombay High Court, Section 13 of the Transfer of Property Act and Section 113 of the Indian Succession Act have become almost unworkable and the retention of these two sections on the Indian Statute Book is likely to give rise to a large volume of litigation. I understand there is a large volume of litigation now pending in the Bombay Courts.

The necessity for this Bill was first pressed on the Government of India by the Incorporated Law Society of Bombay. The views of Provincial Governments, High Courts and important legal bodies were accordingly invited on the proposal and the replies received show that a large majority of the authorities consulted are in favour of the proposal. Honourable Members will have noticed

. . . . . .

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): On a point of information, will the Honourable Member please state whether such information received by the Government have been circulated to Members of the House?

The Honourable Sir Asoka Roy: No.

Mr. Sasanka Sekhar Sanyal: Why not, Sir?

The Honourable Sir Asoka Roy: . . . . . that care has been taken to safeguard any interest acquired by any person for valuable consideration before the commencement of this Act. I find Sir, on the paper a notice of an amendment tabled by Sir George Spence. He has suggested the addition of certain words in Clause 5 of the Bill which are intended to make the position clear with regard to the decree. I shall be prepared to accept that amendment when it is moved.

Clause 3 of the Bill relating to the Hindu Disposition of Property Act, 1916 is merely consequential on the omission of Section 113 of the Indian Succession Act 1925.

[Sir Asoka Roy]

I desire only to add that this Bill does not affect the Muslim community in any way inasmuch as the provisions which are now sought to be repealed never applied to members of that community.

Sir, I find a number of amendments tabled and I notice that Mr. Ananthasayanam Ayyangar has an amendment to the effect that the Bill should be referred to a Select Committee.

Well, Sir, if there is any general feeling amongst members of the House that this Bill should be referred to a Select Committee, I shall be prepared to accept the motion for reference to Select Committee. Sir, I move.

Mr. President: Motion moved:

"That the Bill further to amend the Transfer of Property Act, 1882, the Hindu Disposition of Property Act, 1916, and the Indian Succession Act, 1925, be taken into consideration"

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I beg to move:

"That the Bill be referred to a Select Committee consisting of . . . . . ."

Mr. Sasanka Sekhar Sanyal: Sir, on a point of order. What about the motion for circulation?

Mr. President: Let them all be moved and then I shall put them to vote. There are two motions . . . . . .

Sri M. Ananthasayanam Ayyangar: I do not press my motion for circulation, Sir

Sir, I beg to move:

"That the Bill be referred to a Select Committee consisting of Mr. Manu Subedar, Mr. Sasanka Sekhar Sanyal, Shri Sri Prakasa, Sir Mohammad Yamin Khan, Syed Ghulam Bhik Nairang, Sir Cowasjee Jehangir, and the Mover, with instructions to report by Friday, the 15th March, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five"

Mr. President: Motion moved:

"That the Bill be referred to a Select Committee consisting of Mr Manu Subedar, Mr Sasanka Sekhar Sanyal, Shri Sri Prakasa, Sir Mohammad Yamin Khan, Syed Ghulam Bhik Nairang, Sir Cowasjee Jehangir, and the Mover, with instructions to report by Friday, the 15th March, 1946 and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five"

Mr. Sasanka Sekhar Sanyal: I do not want to move my motion.

Sri M. Ananthasayanam Ayyangar: Therefore it is clear that I ought not to make a long speech Sir, Sections 13 and 14 of the Transfer of Property Act have been intended as a safeguard against tieing up of property in perpetuity. Section 14 refers to a point of time and Section 13 refers to the extent of property that is bequeathed beyond the present life, if it is to be extended to an unborn person Section 13 lays down that the entire property shall vest in the unborn person, that it ought not to be carried over. That is sought to be abrogated by this Bill. Section 13 has been there in the present Act since its inception in 1882. Ever since it has been working quite well. Recently it is true that in view of the decision of Their Lordships of the Privy Council some learned Judges of Bombay have doubted the validity of certain transactions which have been carried out in the Presidency of Bombay. Therefore it has necessitated the framing of this Bill. But the remedy is too drastic. To meet the requirements, to get over the difficulties suggested by Their Lordships of the Privy Council, that in case of a trust involving an unborn person with a carry over, if that person who is expected to come into existence is not born, that property might vest in the settlor's children. That has been found to be contrary to the provisions of Section 13. No doubt it works great hardship. One cannot be sure that the child who is unborn, for whose benefit a settlement is expected to take effect, that child might or might not be born, in which case there is further provision that that property should be made over to the settlor's children. That is in conflict with Section 13 as it stands. It works a great hardship. The property might go to some other persons who are not contemplated by the settlor at that time. That defect has to be remedied. I agree with the Honourable the Law Member that there is a difficulty and therefore

the necessity of invoking the aid of the legislature. There is no difference between him and me and my view is reinforced by the views of the Madras Government and the Madras High Court that the whole section need not be deleted but suitable amendments may be made to Section 13 and the corresponding Section 113 in the Indian Succession Act. That is why I have tabled this amendment. It is unfortunate that the Honourable the Law Member and his Secretary did not think it proper to circulate the opinions that have been gathered to the Members of the House. It would have placed us in a better position to deal with this matter. Anyhow, if the motion to refer the Bill to a Select Committee is carried, we will sit across the table and try without the elimination of Section 13 to so modify as to remove the difficulties that have been found or have been exposed by the dictum of Their Lordships in the Privy Council Case. That is all that I have to submit with reference to this motion for reference to Select Committee

Mr. Sasanka Sekhar Sanyal: Sir I propose to support the amendment of my friend Mr. Ayyangar. In doing so, I invite the attention of the House to particular questions that naturally arise. I feel that the Honourable the Law Member will agree that there is just a little difference between the principles of perpetuity and the principles of remoteness of litigation. This difference, it seems to me, has been lost sight of, when this amendment was drafted with the decision of Their Lordships of the Privy Council in view. There is also a lot of difference between a bequest in the meaning of the Indian Succession Act and a transfer within the meaning of the Transfer of Property Act for certain purposes and the case which was decided arose out of the provisions of a bequest. These things have got to be compared and adjusted for the purpose of modifying the law according to our present needs and in order to avoid the complications which, according to the Law Member, have arisen. There are no two opinions that the decision of Their Lordships of the Privy Council in the Sopher's case was more or less a decision which was very hard and which adversely affected the very normal provisions which are made by parents to their children. But that is far different from saying that that case decided anything which was unusual or unexpected. For example even if you look at the statutory illustration of Section 113 of the Indian Succession Act it is clear that Their Lordships only mathematically applied the decisions which were contemplated by the statutory illustration of Section 113 of the Indian Succession Act

The Honourable Sir Asoka Roy: I have never questioned the correctness of the decision of the Privy Council. The decision arrived at was a correct decision

Sri M. Ananthasayanam Ayyangar: My Honourable friend only wants to say that this is not a new interpretation. It is as old as the Act itself and therefore more than sixty years after 1882 there is no hurry for this. If at all, it must have been done earlier.

Mr. Sasanka Sekhar Sanyal: I am very sorry I made myself misunderstood by my Honourable friend. I say that this decision has not upset anything which was previously not in the contemplation of the law. It is one thing to say that a situation has arisen necessitating a change of the law and it is another thing to say that a particular decision has created an unexpected situation which requires the intervention of the legislature. As a matter of fact I may even go further than my Honourable friend on the Treasury Benches. So long as legal questions arising in our country have their last decisions from Their Lordships of the Privy Council, there are bound to be decisions which will cut across the ordinary conception of our societies and families. But that is a matter which cannot be remedied in this way. There will be decisions which will go counter to our expectations, and the only solution for such an anomaly would lie in our getting these cases ultimately tried by Indian judges on Indian soil. But that is an entirely different matter.

[Mr. Sasanka Sekhar Sanyal]

This raises the larger question as to whether we should have our cases tied to the chariot wheels of the Privy Council and whether we should have greater recourse to enlarge our powers and position here or leave the final decision in their hands; but that is an entirely different matter.

What I was submitting is that there was nothing unexpected in this decision. The law was there and if the law is to be modified by a process of summary amputation, the funds might look for the time being settled and so on; but then other complications will arise. For example, as I was saying, there was a difference between a bequest and a transfer. Bequest has always a scheme of contingencies and therefore latitude is necessarily called for there, in the matter of a scheme which deals with contingencies—contingencies of the first degree, contingencies of the second degree and so on and so forth. But so far as transfer is concerned, contingencies are not a normal contemplation of the Transfer of Property Act: these are only transitional cases. The real conception is immediate vesting and divesting of property and proprietary rights and interests, and that makes a lot of difference between section 13 and section 113 and section 14 and section 114 of the two respective Acts.

Mr. President: How will the Honourable Member treat the case of trusts?

Mr. Sasanka Sekhar Sanyal: Here again I submit on the fact of it, the appearances are similar; but then I will just answer the question which was raised by the Chair by one concrete example. . . .

Mr. President: I may make it clear: I do not want to test the position of the Honourable Member: I want to be clear myself.

Mr. Sasanka Sekhar Sanyal: I just give one example. Here so far as section 13 is concerned, if this section is dropped as proposed, certainly transfers which are made on the basis of trusts in favour of children would be protected from the onslaught of such decisions. But do you not agree that other and undesirable complications are also likely to appear? If you look at the matter purely from the point of view of trusts created for children, trusts created for families and so on, we oppose the matter from one point of view; but at the same time . . . .

Mr. President: May I say what is passing in my mind? What are cases of transfer *inter vivos*, which the Honourable Member has in view apart from cases of trusts or settlements?

Mr. Sasanka Sekhar Sanyal: Gifts and similar transfers which may be tied on for an indefinite length of time—if there is no absolute transfer in contemplation in the present context of things, what will be the position? The position will be that in favour of strangers and strangers or in favour of relations, and then strangers in favour of strangers and unknown persons of all descriptions may be brought into the scene and the estate may be kept fettered and tied for an indefinite length of time for purposes which may be holy or unholy; and that is a state of things which is neither scientific nor desirable and the Indian conditions, apart from those cases which are merely provisions for families and relations, will also never favour the idea of keeping estates tied to the wheels of uncertain contingencies.

An Honourable Member: There is another section of the Act.

Mr. Sasanka Sekhar Sanyal: Yes; there are other sections but that also makes our position stronger. That is why we want to say that instead of summarily removing sections from the law only with a view to avoiding situations which have arisen out of a particular decision, it is necessary that we sit down and compare the inter-relations of the different sections in the one Act with those of the other Act, so that we may arrive at a combined decision in our wisdom which will enable us to so modify the existing section as to answer both the requirements which are raised by the particular decision and the requirements which were in the scheme of the Act when the Act

was actually drafted. After all this law is there for a long time; it has answered certain needs and before we summarily dispense with the existence of these legislative provisions which have been there for a long time, we must apply our combined wisdom to the matter, so that we can forge out provisions which will serve the needs which they have been serving all this time and at the same time which will protect certain interests which have been threatened by the decisions. Therefore I think a strong case has been made out for reference to the Select Committee.

Srf T. V. Satakopachari (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, I support the motion for reference to the Select Committee. . . .

Mr. President: In view of what has fallen from the Honourable the Law Member, if there is a desire for reference to Select Committee, the Honourable Member is agreeable to it.

The Honourable Sir Asoka Roy: Yes: if the House asks for a Select Committee I shall agree to it.

Mr. President: Unless the Honourable Member, Mr. Satakopachari, wants to make any new suggestions, the matter has been perhaps sufficiently placed before the House?

Mr. M. Asaf Ali (Delhi: General): May I just say a word? It is quite true that the Honourable the Law Member has agreed to Select Committee; but it is quite possible that Members of the House may have certain views on the subject which should be considered by the Select Committee.

Mr. President: That is what I was going to say—in fact I said so in the first sentence—if Honourable Members have to say something by way of suggestions to be made, but I am afraid the particular matter for the Select Committee is of such a technical character and so wide that it would be very difficult. . . .

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): If there is any enterprising Member to do that, he may be allowed.

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Would he explain less technical matters?

Mr. President: I believe the Select Committee would be better able to discuss the background of the proposed legislation and the results of their discussion will, of course, be discussed later. But I must personally admit that, on the whole, I felt certain difficulties not only in the sections but also in the amendments which are tabled both by the Government as also by the Honourable Member Mr. Sanyal; but that is a different matter. I do not propose to put my views here on the question. In any case, if it is desired that the matter be thrashed out more fully in the Select Committee, that is the better course, as the Honourable Member himself has accepted the suggestion. Of course if any other Member has to suggest any particular views, that is a different matter.

Mr. P. J. Griffiths (Assam: European): Mr. President, I know nothing at all about this particular Bill; but I would suggest as a matter of general principle that there ought to be some kind of general discussion in this House before reference to Select Committee for the guidance of that Committee when it sits.

Mr. President: That general discussion has already taken place: any general point of view that could be urged has already been urged by both the Members, Mr. Ayyangar and Mr. Sanyal.

Mr. P. J. Griffiths: But nobody has yet made any remarks to enable an unintelligent Member like myself to understand what the Bill is about.

Mr. M. Asaf Ali: I am sorry I have to protest against the precedent you are creating. We must leave the House free to discuss these matters threadbare, even if the question is going to be referred to Select Committee, and the House feels that it must give guidance to the Select Committee.

[Mr. M. Asaf Ali]

every Member must have the right to speak; we cannot curtail debates like that. It is not possible.

Mr. President: I can assure the Honourable Member that there is not the least desire to curtail the debate in the least. But what I have been able to find from the two speeches is that there is going to be a repetition of the same thing. (*An Honourable Member*: "Not necessarily"). Theoretically, "not necessarily"; but if we go for example into the question of the doctrine of perpetuity, the remoteness of limitation—section 114 of the Succession Act and section 14 of the Transfer of Property Act and all that—I am afraid it will be a technical discussion and I do not see any further contribution likely. All the same, if any Member feels that he can contribute something to the debate, I have no objection to his saying such thing I do not want to curtail anything; only if the House likes, the question may be put not otherwise But every Member is entitled to speak and make suggestions

The Honourable Sir Asoka Roy: For my part, I say I have no desire to curtail any speeches.

Mr. President: Nor have I.

Sir Cowasjee Jehangir (Nominated Non-Official): May I just say a few words? Not being a practising lawyer, I would like to put my point of view in ordinary language which may be intelligible to Honourable Members who are like myself laymen. (*An Honourable Member*: "Or a litigant's point of view"). Certainly from the point of view of one that may be affected by such legislation.

Mr. M. Asaf Ali: Mr. Satakopachari got up to speak to this motion when this discussion ensued. He has got the prior right to speak as he caught your eye but you shut him out.

Mr. President: I am afraid it will not be a correct description of my attitude to suggest that I shut him out I made a suggestion to him and it was for him to accept it or not. He accepted the suggestion.

Sri T. V. Satakopachari: I took it also in that light—that you suggested that the Bill might be referred to a Select Committee. I was inclined to that view myself and I wanted only to press that the Bill might be referred to a Select Committee.

I am afraid the subject is too technical now to enter into it at this stage. I feel the proper stage for a detailed discussion of it will come after the Select Committee has considered the Bill and reported on it and given their views, and they are before the House

What I wanted to suggest was one other aspect of the question which I thought might be brought before the House and which I thought was not touched upon by the two previous speakers. I should like to place this aspect before the Select Committee, because the total omission of the section will be harmful to the future progress of the society, especially the Hindu section of our country. I put it in this way As my Honourable friend Mr. Sanyal pointed out, there are two ways of limitation prescribed by jurisprudence over transfer of property, whether *inter vivos* or by testamentary disposition. The two ways of limitation are these. Firstly, a bar against perpetually tying up properties. There is, of course, the question of Trusts to which you referred but that is completely dealt with by the Trusts Act There are specific provisions guiding the creation of a trust, the administration of a trust and how a trust ought to be viewed under law, so that it forms a separate section of law altogether. That is safely provided for but ordinary dispositions of property in which property is tried to be put off from social usages—that has to be prevented by law by a bar against perpetuity. Both these notions are incorporations from the English law. Anyway, there are also indications in the Hindu Law against these creations of perpetuities, as you will find in the famous case of Tagore *versus* Tagore. The second limitation is a partial limitation upon the disposition of property whether by *inter vivos* or by testamentary disposition, as I stated already, by imposing some limitation saying that a

property shall not be tied up altogether from the use of society by your trying to make out a particular way of succession or mode of alienation or by just putting it off in a side channel for some time to come for your own benefit or the benefit of a section of society. The whole society should be capable of using the property. It is in the light of these views of jurisprudence that these laws have been framed. Sections 13 and 14 provide for these perpetuities. Omission of section 13 altogether would have certain repercussions on the other portions of law and of society in general, which I thought we should avoid. So, I thought the complete omission of the section might not be so very good and it requires much further consideration by persons informed on the subject and I thought also that the rights to property will be disturbed in this way that there will be a tendency amongst the people to tie up property, with the result that there will be a retrogression of society. I thought the entire omission might not altogether be good at this stage. I do not think we may be able now to suggest any particular phrase which may be tacked on to the existing section 13 or any particular method by which certain omissions of clauses might be useful. In order to achieve the objects of my Honourable friend the Law Member in view of Sopher's case to which he has referred, and also to suggest any other addition which might be useful in that way, it is better to refer the Bill to a Select Committee. I do not think I have studied the subject to that extent at this stage. So I now merely support the motion for referring the Bill to the Select Committee because I think the Bill needs much deeper consideration.

Dr. G. V. Deshmukh: May I know what *inter vivos* means?

Mr. President: It was never my intention to stifle discussion on this motion at all. I really feel even now that so far as the examination of the legal aspect of the cases and the judicial interpretation of them are concerned, even if lawyers were to argue they will argue for days together. Instead of doing that and then compelling friends like Dr. Deshmukh to ask what *inter vivos* means, I thought that the Bill might be referred to a Select Committee now, so that when the Bill comes back, the House might be in a better position to deal with it. It was not my intention to prevent any Member from expressing his views. I thought that in the speeches of the two Honourable Members who have spoken all the points that I could conceive of were dealt with. Even Mr. Chari's speech was more or less a paraphrase of the points of the other two Members and there was no new point. That is why I made the suggestion. I had no intention of shutting out discussion if any Honourable Member had anything new to suggest.

Sir Cowasjee Jehangir: I was about to begin my speech when you allowed another Member to continue his speech. May I now say just a few words as to how this Bill affects the ordinary person and whether a remedy is necessary or not. Some Honourable Members seem to feel some doubt whether such a change in the law is required. Up to now, as you know, Mr. President, a man could make a trust for his son or daughter for life and after that son or daughter to the children of such son or daughter, whether they be born in the lifetime of the settlor or not and those grand children would inherit the property absolutely. That was the belief for 50 or 60 years and trusts were made all over India on those lines. Well, Sir, the interpretations of section 13 of the Transfer of Property Act and section 113 of the Indian Succession Act were as I have tried to explain. Suddenly a case went up before the Privy Council who expressed an *obiter dicta*

1 P.M.

The Honourable Sir Asoka Roy: No, it was a decision

Sir Cowasjee Jehangir: I shall say they expressed an opinion.

The Honourable Sir Asoka Roy: The *obiter dicta* was of the Bombay High Court.

Sir Cowasjee Jehangir: Let us not quarrel about words. The case went up to the Privy Council and the expression of opinion by the Privy Council showed that in India such trusts were invalid. That if a man made a trust

[Sir Cowasjee Jehangir]

for his son for life, after his son absolutely to his grand children, but if he had no grand children, the trust was for the benefit of his second son, such a trust was according to the decision of the Privy Council invalid. Trusts had been made for the last fifty years, grand children had been in possession, sons were in possession for life. Grand children might have been born after the death of the settlor and may have died. Complications arose, such cases went to court. Now, Sir, the settlor's intentions were completely upset by the decision of the Privy Council as upheld by the courts in Bombay. Matters came to such a pass that monies went into the hands of people most unexpectedly. I am describing it in ordinary language without using a single legal phrase. Naturally the Honourable the Law Member was approached for amending the Act. After giving the matter due consideration, he suggests the omission of these two sections. Now, Sir, it is perfectly clear to anybody who reads those sections and also who reads the subsequent sections in the Act that the law of perpetuity in no way is affected. Neither in this country nor in England can you make a trust in perpetuity. Now, Sir, there is some apprehension on the part of my Honourable friends opposite that if the whole of these sections are deleted, it may in some way affect the following sections and there may be some complication with regard to this law of perpetuity.

Mr. President: I am afraid that is not the point which they were making. They are not afraid that the law of perpetuity would be affected. That was not the point which those Honourable Members were making.

Sir Cowasjee Jehangir: They were trying to argue that in some way or other the present law of perpetuity would be affected because of these two sections in the Acts you are deleting—I am not a lawyer. . . .

Mr. President: That is exactly what I was telling the Honourable Member that that was not their argument The Honourable Member may accept that.

Sir Cowasjee Jehangir: When this Bill was introduced, I took the precaution of taking legal opinion outside my Honourable friend the Law Member. I have been assured by some of the best lawyers in India today that the Bill as drafted with the amendment proposed by the Secretary of the Legislative Department carries out the object in view and will not in any way affect any other law that may be in existence. But nevertheless, if there are some apprehensions in this House, then have a Select Committee. But I would try to impress upon the House the importance of this matter because large sums of money are involved and there is a likelihood of people getting hold of money to which they are not entitled.

Sjt. N. V. Gadgil: Socialism.

Sir Cowasjee Jehangir: Well, if my Honourable friend opposite is entitled to some of this money, well, perhaps, he might urge this legislation should not take place. Under the law, I do not know whether he is or he is not entitled. At any rate, if he is he will benefit without having the right to do so. Put shortly in that way, surely legislation is necessary to prevent such a state of affairs. Therefore, Sir, the sooner this Bill goes to Select Committee, the sooner it comes back and is passed into law, the better for a very large number of people in this country.

Dr. G. V. Deshmukh: Sir, I did not want to take any part in this debate, but Sir, the position, as I understand it is this. When the Bill goes to the Select Committee, the general opinion is that we accept the principle of the Bill. From the discussions that have been going on, I can say that there are many friends of mine who are as ignorant as I am with regard to the object of the Bill or what the Bill is. It would be taken for granted that we have accepted the principle of the Bill. I want to put before you, Sir, our difficulties. We are expected to vote, and of course, we cannot vote unless we understand something about it. The Honourable the Law Member's exposition was very learned, but we could not understand it and hence this is

the difficulty. I want to put this difficulty before you. If there are any other Honourable Members of the House who would explain things in a layman's way like Sir Cowasjee Jehangir has done, I think we would all be very thankful and it would prepare us in some sort of way to give a kind of opinion whether the Bill should go to the Select committee or what is to be done about it. I must have no doubt about it that it is a very useful Bill. On the one side they say it will not interfere with the law of perpetuity, I hear from my Honourable friend Mr. Chari that the rule of jurisprudence does not tie property. You can understand whether it ties up property or not, but we laymen are tied up completely with regard to this Bill.

Sri M. Ananthasayanam Ayyangar: There is just one point before you put the Motion to the House. I want to add two more names to the Select Committee. By an oversight, I gave the list without including the name of any Member from the European Group. I never wanted to ignore my Honourable friends of the European Group. I would request you to permit to add the name of Mr. T. Chapman Mortimer to the list. I also request you to add the name of my Honourable friend Mr. Satakopachari who has taken a lot of interest in the matter. He has studied it and he will be of immense help to the Select Committee.

The Honourable Sir Asoka Roy: I have no objection to include the two names.

Mr. President: I was just going to say with reference to the remarks made by Dr. Deshmukh that these are unfortunately the limitations in human life; and just as other people submit to the Honourable Member's knife without any question about the disease or the manner of operation, he may as well submit himself to the views of the lawyers in the House.

The question is

"That the Bill be referred to a Select Committee consisting of Mr. Manu Subedar, Mr. Sasanka Sekhar Sanyal, Shri Sri Prakasa, Sir Mohammad Yamin Khan, Syed Ghulam Bhik Nairang, Sir Cowasjee Jehangir, Mr. T. Chapman Mortimer, Mr. T. V. Satakopachari, and the Mover, with instructions to report by Friday, the 15th March, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

PROFESSIONS TAX LIMITATION (AMENDMENT) BILL

Mr. President: There are only five minutes left before we have to adjourn for Lunch. Is it the desire of the House that we should take up the next motion or we should adjourn now and take it up after reassembling?

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Why waste five minutes.

Mr. President: Then we shall take up the next motion in the name of the Finance Secretary, Mr. Cook.

Mr. B. C. A. Cook (Government of India. Nominated Official): Sir, I move.

"That the Bill to amend the Professions Tax Limitation Act, 1941, be taken into consideration."

This is the first time on which I have had the honour of addressing the House but I do not intend to ask for the indulgence of the House for very long. The amending Bill is simple and the Statement of Objects and Reasons is self-explanatory. The only point to which I should like to draw the attention of Honourable Members is to satisfy them that they are merely being asked to give effect to the intentions of the House which were expressed at the time when the original Professions Tax Limitation Act was moved. The Honourable Member who moved the Limitation Bill said in one place:

"There is a difference between the city of Madras and the districts. The difference is this that in the city the professions tax applies to individuals and the companies tax to companies. These taxes are upon a different basis. Therefore as far as this Bill is concerned it would not affect the existing tax on companies in the Madras city."

In another place in his speech he said:

"I would like to make it clear that the Bill before the House would not affect the existing taxes on companies in the Madras city."

[Mr B. C. A. Cook]

I think, Sir, that makes it clear as to what the intention of the House was at the time when the Professions Tax Limitation Act was passed. Doubts have, however, been raised as to whether the Madras companies' tax is in fact excluded from the operations of the Professions Tax Limitation Act. The Madras Corporation have taken legal advice and they are advised that it can be held that the tax which is levied on companies in the Madras city is affected by our Limitation Act. This, Sir, as far as the Madras City Corporation is concerned, is a serious matter, and the effect on the revenues of the Corporation might be considerable. The object of the amending Bill, therefore, is to make the intentions of this House clear beyond doubt, to save the revenues of the Madras City Corporation from considerable loss and to clear up doubts generally. I commend the Bill to the brief but sympathetic attention of the House.

Sir, I move.

Mr. President: The question is:

"That the Bill to amend the Professions Tax Limitation Act, 1941, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill

Mr. B. C. A. Cook: Sir, I move:

"That the Bill be passed."

Mr. President: The question is:

"That the Bill be passed."

The motion was adopted.

The Assembly then adjourned for Lunch till Half past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

PROVIDENT FUNDS (AMENDMENT) BILL

Mr. B. C. A. Cook (Government of India: Nominated Official): Sir, I move:

"That the Bill further to amend the Provident Funds Act, 1925, be taken into consideration."

Sir, I am sure that the House will be in full sympathy with the objects of this Bill. The history of it is as follows:

The Madras Government brought to our notice certain judicial decisions which implied that section 5 of the Provident Funds Act conferred on a nominee a right transmissible to his heirs. As, however, it was never intended to give a nominee anything more than a right to receive a subscriber's deposits if at the time of the subscriber's death the nominee were alive and a valid nomination existed in his favour and the deposits had not already been paid to the subscriber, it was decided that amending legislation was necessary. Provincial Governments and Chief Commissioners were consulted and asked to give their views and those of the institutions to which the Provident Funds Act had been applied. Their views were received and showed a practical consensus in favour of amendment.

One point which I should like to make here, Sir, is that these provisions do not apply solely to Government servants. They apply also to a very large number of servants of local Funds, schools, and other institutions. Most of these employees are on fixed salaries and have been having a fairly hard time, and I think the House will agree that it is undesirable to subject them to any form of uncertainty regarding the disposition of their Provident Fund deposits.

Now, Sir, of the two amendments proposed in the first of the amending clauses, the first amendment, (a), is intended to secure beyond question that a nominee duly nominated according to the rules of the Fund takes precedence

over all persons and at the same time to make it clear that his right depends on his surviving the subscriber. The second amending sub-clause, (b), is consequential on the first, while the additional sub-section (3) which it is proposed to add to section 5 of the Act by means of amending clause (2) will make the amendments effective for all subsisting nominations without disturbing cases in which payment has already been duly made.

Sir, I move.

Mr. President: Motion moved:

"That the Bill further to amend the Provident Funds Act, 1925, be taken into consideration."

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I expected that my Honourable friend Mr. Jaffer would be here to move his amendment for circulation to the Sub-committee. Seeing that he was not present this morning, I apprehended that he may not be present this afternoon, and therefore I along with my Honourable friends, Mr. Satakopachari and Reddiar, have given notice of a similar amendment for reference to a Select Committee.

Mr. President: When did the Honourable Member give that notice?

Sri M. Ananthasayanam Ayyangar: I am sure it will be in your hands very soon. I gave it about 15 to 20 minutes ago.

It is an important measure. Within a short time of two or three years there have been one amendment after another to this Provident Fund Act. I agree with the object of the framers of the Bill that it should be made clear, but I am afraid the language of the Bill goes far beyond the intended object. For instance, it says that any provident fund that is created to which the man subscribes and the employer also contributes is taken away from the writs of creditors and insolvency of the contributor Thus it is kept as a fund for use by himself and his family after retirement. If that is so, the present Bill enables him to alter the very structure of the provident fund and cancel the nomination that is already made behind the back of the subscriber to the fund. It is not necessary to bring out or to carry out certain directions which have been indicated because of certain difficulties in the working of the Act. That goes far beyond the difficulties that have been pointed out.

I should like to point that a provision which is not there at present ought to be made, namely, some special provision should be made in the fund for wife or children which must eventually go to them. It must not be left to the sweet will of the contributor to go on changing it from time to time. I find that lacuna there.

Both passively and actively this Bill, which has been placed before us required radical modification by way of small amendments here and there. I am not sure that we will be able to carry out what is necessary in the interest of the subscribers to the provident fund on the floor of the House. Therefore, Sir, with your permission, I move:

"That the Bill be referred to a Select Committee consisting of Mr. P. B. Gole, Sri R. Venkatasubba Reddiar, Sir Muhammad Yamin Khan, Syed Ghulam Bhik Nairang, Mr E. L. C. Gwilt, Sri T. V. Satakopachari, Mr. B. C. A. Cook, and the mover, with instructions to report by Thursday, the 28th February, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. President: Motion moved:

"That the Bill be referred to a Select Committee consisting of Mr. P. B. Gole, Sri R. Venkatasubba Reddiar, Sir Muhammad Yamin Khan, Syed Ghulam Bhik Nairang, Mr E. L. C. Gwilt, Sri T. V. Satakopachari, Mr. B. C. A. Cook, and the mover, with instructions to report by Thursday, the 28th February, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. B. C. A. Cook: I accept the motion, Sir

Mr. President: The question is:

"That the Bill be referred to a Select Committee consisting of Mr. P. B. Gole, Sri R. Venkatasubba Reddiar, Sir Muhammad Yamin Khan, Syed Ghulam Bhik Nairang, Mr. E. L. C. Gwilt, Sri T. V. Satakopachari, Mr. B. C. A. Cook, and the mover, with instructions to report by Thursday, the 28th February, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

COMMITTEE RE RAIL-ROAD CO-ORDINATION SCHEME

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I move:

"That the report of the Committee to examine the progress made in carrying out the principles of the Rail-Road Co-ordination Scheme which was due to be presented today may be presented on Monday, the 18th February."

Mr. President: The question is:

"That the report of the Committee to examine the progress made in carrying out the principles of the Rail-Road Co-ordination Scheme which was due to be presented today may be presented on Monday, the 18th February."

The motion was adopted.

STATEMENT OF BUSINESS

The Honourable Sir Edward Benthall (Leader of the House): Sir, the Finance Member hopes to present the report of the Committee on the question of India's position with reference to the Bretton Woods Agreements on Tuesday next. He will thereupon give notice of a motion designed to elicit the final verdict of the House on the question of India's continued participation in the Agreements. It is essential that a final decision should be reached by the end of next week inasmuch as if India is to continue to be a party to the Agreements the Governor of the Reserve Bank will have to proceed to Washington immediately to participate in discussions. Wednesday next week has been allotted for the general discussion of the Railway Budget while Friday is the first of the days allotted for the voting of demands for Railway grants. Neither of these days can be altered without dislocating the whole programme of the two budgets. In these circumstances I hope that the House will be prepared to dispose of the motion to be moved by the Finance Member on Thursday next week. If, however, Honourable Members want further time to consider the report of the Commmittee copies of which will be circulated as soon as the report is presented, we must ask you, Sir, to direct the House to sit on Saturday the 23rd February for transaction of official business with a view to disposal of the Finance Member's motion on that date.

If the decision is to take the Finance Member's motion on Thursday I hope that no objection will be taken under clause (a) of the proviso to Standing Order 44(1) to the moving on Tuesday of the Commerce Member's motion for consideration and passing of the Insurance Bill as reported by the Select Committee whose report was presented yesterday. If the Finance Member's motion is not taken on Thursday the Insurance Bill will be put down for that day.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): If this is a provisional programme I have no objection. But I feel that the Bretton Woods Committee would not be able to present its report by Tuesday as expected, and if such a report is presented—I do not think I am disclosing too much of a secret when I say that there are very serious difficulties in the way of that Committee—if any, will be a divided report. I feel that the House ought to get considerable time to examine this question. And even if the report were presented on Tuesday it could not be discussed on Thursday.

I submit that, while I have no objection to the provisional arrangements going through, this would not be the proper thing.

The Honourable Sir Edward Benthall: Then Staturday would suit the Honourable Member better.

Mr. Manu Subedar: If the report is presented in time and if it has been properly circulated and time given to the Members of this House.

The Honourable Sir Edward Benthall: Then I would ask for Saturday as an official day.

Mr. President: I am afraid the matter still remains in doubt. There are two "ifs" which the Honourable Member stated: "If the report can be presented" and "If it can be circulated".

Mr. Manu Subedar: On a highly technical matter like this, I submit the House must have a certain amount of time. Members must have time to read through the report and discuss among themselves and I think it would be very unfortunate if an earlier date is forced on the Members who have not digested the issues particularly when there is the fact . . . . . .

Mr. President: The point which I was making was this: assuming the report is presented on Tuesday, will Saturday suit?

Mr. Manu Subedar: I will respectfully say that as far as I can see there is not the slightest possibility of the report being presented by Tuesday. We have to draft our reports.

Mr. President: That creates a different position.

The Honourable Sir Edward Benthall: May we accept Saturday provisionally in order to frame a programme?

Mr. Manu Subedar: I am only trying to help in the fixing of a programme which can be put through

The Honourable Sir Edward Benthall: Since the limiting date is the end of next week, I am suggesting Saturday rather than Thursday.

Mr. President: Saturday is for discussion of the report. That is how I understand it. Supposing we are not able to finish the discussion on Saturday, as two days were proposed—Thursday and Saturday—what will happen then?

The Honourable Sir Edward Benthall: Thursday or Saturday.

Mr. President: The Honourable Member said " . . . . . I hope that the House will be prepared to dispose of the motion to be moved by the Finance Member on Thursday next week. If, however, Honourable Members want further time to consider the report of the Committee copies of which will be circulated . . . ".

The Honourable Sir Edward Benthall: I did intend it to be discussed in one day

Mr. President: Would it be finished in one day?

Mr. Manu Subedar: Sir, the official side seem to be anxious to fix a date by which we must come to a decision, because if India continues to remain in the Bretton Woods Agreement, the Governor or a representative for India has to be sent to the preliminary meeting. With this question are mixed up several other important questions which some of us think to be even more important than the presence of our representative at the preliminary meeting and therefore I submit that adequate time should be given to the House to discuss the report after it is circulated. But as to whether the discussion could be finished in a day is more than I can say. It all depends on the discussion in the House.

Mr. President: What I feel is that if a certain time limit has been fixed for expressing consent, then of course the whole thing has to be finished within that time limit. At present it is not possible to say what view the House will take.

Mr. Manu Subedar: If the Honourable the Finance Member will permit me to disclose what is the difficulty we are confronted with in the Bretton Woods Committee, I am prepared to state it. Before that stupendous issue the question of our representative's presence at the preliminary meeting in Washington pales into insignificance.

Mr. President: I do not propose to enter into the merits of that question. At this stage, all that I mean is, assuming that the House comes to a decision that we should remain in the Fund whether our conclusion should be reached on Saturday or whether any further time can be given and the discussions carried over to some other convenient date. That is the only point of difficulty that I have to decide. Thereafter the Railway Budget comes for discussion.

Mr. Manu Subedar: What will happen if the discussion on this motion is not closed on Saturday, the 23rd?

The Honourable Sir Archibald Rowlands (Finance Member): I will undertake on behalf of the Government Benches that we will be as brief as possible. The issue which is really to be determined is a perfectly simple one. I know that there are other issues. The issue to be decided on the 23rd is a perfectly simple one and I say that on the Government side we will not take more than quarter of an hour.

Mr. Manu Subedar: For our part we will try to assist the House to conclude the discussion as early as possible. I have my preliminary difficulties about the preparation of the report.

Mr. President: That will be a different matter. Let us sit with determination, even sitting longer if necessary and see that the matter is finished that day.

The Honourable Sir Archibald Rowlands: Thank you, Sir.

Mr. President: So we shall have Saturday, the 23rd, as the date fixed for this purpose.

The Honourable Sir Edward Benthall: In that case I think we should take the Insurance Bill on Thursday instead of Tuesday and cancel the meeting entirely for Tuesday. In that case Members may have more time to study the Railway Budget, Bretton Woods and other subjects.

An Honourable Member: The report has to be presented

The Honourable Sir Edward Benthall: We will have a short session on Tuesday, take the Insurance Bill on Thursday and Bretton Woods on Saturday.

Mr. President: Is that convenient? I see no objection.

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Would it not be better if we start on the Insurance Bill on Tuesday, so that we know exactly what the position is?

Mr. Manu Subedar: I think that would be better. I do not see any possibility of the report on Bretton Woods . . . . . .

Mr. President: In that case I shall have to waive the objection as to want of sufficient time. If it is raised we shall see. At present it is problematical.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): The report of the Select Committee has not been circulated.

Mr. President: It is to be circulated tonight. For the present it is agreed by the House that we take the Insurance Bill on Tuesday, subject to any objection and the Chair's waiving of notice. On Saturday the 23rd, the House sits for the Bretton Woods decision.

Mr. Leslie Gwilt (Bombay: European): Is it presumed that the Insurance Bill will go on from Tuesday the 19th to Thursday the 21st?

Mr. President: Not necessarily. If it is not finished on Tuesday . . . . .

Mr. Leslie Gwilt: If it finishes on Tuesday, I presume there will be r sitting on Thursday

Mr. President: I there any other business on Thursday?

The Honourable Sir Edward Benthall: None other than the Insurance Bil and if that is finished on Tuesday, there need be no sitting on Thursday.

Mr. President: If the Insurance Bill is not finished by Tuesday, it will g over to Thursday. In case it is finished by Tuesday, there will be no othe business for the House on Thursday and the House will not sit on Thursday.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural) We are agreeable, Sir.

The Assembly then adjourned till Eleven of the Clock on Monday, th 16th February, 1946.

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LEGISLATIVE ASSEMBLY DEBATES

MONDAY, 18th FEBRUARY, 1946
Vol. II—No. 4

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LEGISLATIVE ASSEMBLY

Monday, the 18th February, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBERS SWORN:

Khan Bahadur Zafar Hussain Khan, M.L.A. (Government of India: Nominated Official).

Mr. Lalgudy Swaminath Vaidyanathan, M.L.A. (Government of India: Nominated Official).

Miss Maniben Kara, M.L.A. (Nominated Non-Official).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

RELEASE OF POLITICAL PRISONERS

285. *Mr. Sasanka Sekhar Sanyal (on behalf of **Prof. N. G. Ranga**): Will the Honourable the Home Member be pleased to state:

(a) the latest policy of Government in regard to the release of political prisoners;

(b) the latest available figures for the number of political prisoners—(i) imprisoned in connection with the 1942 August Movement; and (ii) imprisoned for their political acts committed previous to 1942 August Movement; and

(c) how many of them are in the 'C' class?

The Honourable Sir John Thorne: (a) I would refer the Honourable Member to the statement which I made in this House on the 11th February, in the debate on Pt Govind Malaviya's Resolution on the subject.

(b) (i)

Governors' Provinces.

Convicts	2,850
Detenus	333

Central Government and Chief Commissioners' Provinces

Convicts	*Nil*
Detenus	2

(ii) So far as the Central Government and Chief Commissioners' Provinces are concerned, there are no such persons. I have no information about Governors' Provinces.

(c) Does not arise.

Shri D. P. Karmarkar: In view of the present situation requiring an amicable settlement, may I ask whether the Government of India would not be well advised to take an initiative in this matter and advise the Provincial Governments to release all political prisoners?

The Honourable Sir John Thorne: It is covered by what I said on February the 11th.

Seth Govind Das: Since 11th February one week has elapsed and things are moving so fast in this world, will the Honourable Member not reconsider the position which he took on the 11th of February?

The Honourable Sir John Thorne: I do not think so.

Sjt. N. V. Gadgil: Is he not on speaking terms with the Provincial Governments?

Mr. President: Order, order.

Sri M. Ananthasayanam Ayyangar: May I know what the answer to part (ii) of clause (b) is—the latest available figures for the number of political prisoners imprisoned for their political acts committed previous to 1942 August Movement?

The Honourable Sir John Thorne: So far as the Central Government and Chief Commissioners' Provinces are concerned, there is no such prisoner.

Sri M. Ananthasayanam Ayyangar: May I ask the Honourable Member if this question is not general and refers to the whole of India?

The Honourable Sir John Thorne: I added "I have no information about the Governors' Provinces".

Sri M. Ananthasayanam Ayyangar: May I know what steps have been taken by the Honourable Member to ascertain the number of detenus from the various provinces? Ten days' notice is given to the Honourable Member.

The Honourable Sir John Thorne: I took no steps. I happened to have the information which was asked for in b (i) and I therefore gave it. But the information required in b (ii) was not available, and I did not consider that it was the responsibility of the Central Government to get that information.

Maulana Zafar Ali Khan: Do Government propose to remove the ban on the Forward Bloc?

The Honourable Sir John Thorne: I suggest that does not arise from this question.

Sardar Mangal Singh: May I know whether the report published in this morning's paper, that a fresh notice has been served on Sardar Sardul Singh Caveeshar extending his imprisonment, is true?

The Honourable Sir John Thorne: I believe it is not correct.

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member be pleased to state what is the policy today of the Government with regard to the release of Sardar Sardul Singh?

The Honourable Sir John Thorne: The policy is as indicated by me on February the 11th. It is under consideration with the Provincial Government.

Sri M. Ananthasayanam Ayyangar: May I know if the Honourable Member is aware that there are prisoners convicted before 1942 and have been in jail for twenty to thirty years now in some of the provinces—in the Punjab, in the United Provinces, and some other provinces?

The Honourable Sir John Thorne: No, Sir. I have no information on that.

Sri M. Ananthasayanam Ayyangar: He has no information that there are number of similar people in Nagpur. I would like your ruling on this point. The Honourable Member just said that he had no information in his hands; evidently he is referring to the Secretariat. But may I point out, Sir, that ten days' notice is given to enable him to collect information from Cape Comorin to Himalayas. Is it not his business to collect the information and place it before this House? When information of general character is asked for and the Central Government is responsible for the peace and tranquillity of the whole of India, it is their duty to furnish the information. As Members on the other side may evade giving such information, I would like to have your ruling on this point, Sir, that they must gather information from the Provinces concerned.

Mr. President: Is it really a matter for ruling? Government in their own interest ought to collect information.

Sjt. N. V. Gadgil: I only wish they knew it!

Mr. President: Next question.

FRONTIER GOVERNMENT'S POLICY RE POLITICAL PRISONERS

286. *Mr. Sasanka Sekhar Sanyal (on behalf of **Prof. N. G. Ranga**): Will the Honourable the Home Member be pleased to state:

(a) if he has seen the press communique issued by the Frontier Government regarding their policy towards political prisoners;

(b) if Government are prepared to advise the other Provincial Governments o create in the same way a special class for political prisoners and to offer at ast the same facilities;

(c) whether Government will consider the advisability of adopting the same olicy in regard to the political prisoners who are being kept in jails on the rders of administrations in the centrally administered areas; if not, why not; nd

(d) whether Government will call a conference of Provincial Governments o consider this matter of treatment of political prisoners and help them to dopt a liberal policy towards political prisoners?

The Honourable Sir John Thorne: (a) I understand that no communique as been issued but that Rules for the classification and treatment of con-icted and undertrial political prisoners were published in a notification of the orth West Frontier Province Government dated the 17th November 1945, nd that Government also have under consideration the question of bringing the ules for security prisoners into line with these rules.

(b) and (d). No.

(c) So far as security prisoners are concerned, the differences between the xisting rules of the Central Government and those of the North West Fron-ier Province notified on the 17th November 1945 are insignificant. I am xamining the existing rules for the treatment of convicted prisoners with a iew to deciding whether any modification along the lines of the North West rontier Province rules is called for.

Sri M. Ananthasayanam Ayyangar: May I ask the Honourable Member if n the various conferences with Home Members of several provinces a uniform rocedure with regard to this question has not been evolved?

The Honourable Sir John Thorne I do not know when the last conference ith Home Members of the Provinces was held I can remember one some-here about 1938, but I am not aware of one since then.

Sri M. Ananthasayanam Ayyangar: In respect of the treatment of political risoners, apart from the policy of releasing political prisoners, the Honourable lember said in reply to part (c) of Question No. 285 that it does not arise. oes that mean that there are no classes of political prisoners?

The Honourable Sir John Thorne: I am not quite sure what my Honour-ble friend means Does he mean classes of political prisoners in the pro-inces?

Sri M. Ananthasayanam Ayyangar: Yes, and under the Government of ndia in the Chief Commissioners' Provinces.

The Honourable Sir John Thorne: In the Chief Commissioners Provinces here is no classification of political prisoners as such. The rules which have een issued by the North West Frontier Government, do recognise a class of olitical prisoners as such.

Sri M. Ananthasayanam Ayyangar: Has the Government taken steps to dvise the other provinces to have only one class of political prisoners and ot to divide them as in Madras?

The Honourable Sir John Thorne: No, Sir. That is a matter for the Pro-incial Governments.

Sreejut Rohini Kumar Choudhuri: Is it a fact that the rules framed by the rovincial Governments were superseded by the orders subsequently passed y the Government of India by which the Governors were authorised to frame ules in this behalf in their own provinces?

The Honourable Sir John Thorne: I am not sure if I understand the ques-ion. If the intention of the questioner is to ask whether directions were iven by the Central Government as regards the classification of political risoners, the answer is 'No'.

Sri M. Ananthasayanam Ayyangar: Is there no classification regarding ordinary prisoners in the Chief Commissioners' provinces or is there only one classification for all prisoners?

The Honourable Sir John Thorne: There are various classes and have been for many years.

Sri M. Ananthasayanam Ayyangar: Then may I take it that even political prisoners are sent to any one of these classes indifferently?

The Honourable Sir John Thorne: Generally, yes Sir. They are treated under the rules which apply to ordinary prisoners.

Sri M. Ananthasayanam Ayyangar: And therefore, it is not as if I understand the Honourable Member to say that political prisoners stand by a class of their own and there is no difference between one political prisoner and another?

The Honourable Sir John Thorne: That is not so in the Chief Commissioners' provinces.

Sri M. Ananthasayanam Ayyangar: How many political prisoners are there in the lowest class? And is it a fact that their rate of allowance is not even three annas a day?

The Honourable Sir John Thorne: I do not think there are any political prisoners detained in the Chief Commissioners' provinces at present.

Sri M. Ananthasayanam Ayyangar: Then with respect to the political prisoners in the other Provinces, may I ask the Honourable Member to collect statistics of the 5,000 who are rotting in jail? Is it not a fact that in Madras the allowance is not more than three annas a day?

The Honourable Sir John Thorne: That is a matter for the Provincial Governments. I cannot undertake to collect information on that.

Sreejut Rohini Kumar Choudhuri: Is it not a fact that under the present rules ordinary prisoners are better treated being put in a better classification than political prisoners.

The Honourable Sir John Thorne: I cannot answer for the Governors' Provinces, but I think the answer is 'No'.

Prof. N. G. Ranga: I apologise to the Chair for having come late. I wish to ask the Government the reasons for which they do not wish to adopt the policy that has been adopted by the Frontier Government.

The Honourable Sir John Thorne: If my Honourable friend had been here, he would have known that I have not taken that attitude.

POSITION RE HEALTH OF MESSRS. JAI PRAKASH NARAIN AND RAM MONOHAR-LOHIA

287. *Prof. N. G. Ranga: (a) Will the Honourable the Home Member be pleased to state the latest position in regard to the health of and the conveniences provided for Messrs. Jai Prakash Narain and Ram Manohar Lohia?

(b) In what jail are they kept?

(c) Are they allowed to be together?

(d) Are they allowed to obtain political books and also to obtain and freely utilize writing materials?

The Honourable Sir John Thorne: They are both in good health. The conveniences provided for them are as stated in my answer to Question No. 53, on February 7th. They are in Agra Central Jail, and are allowed to be together. They are allowed writing materials, also political books, subject to the discretion of the Superintendent.

Prof. N. G. Ranga: Is there any special provision made to enable them to purchase books?

The Honourable Sir John Thorne: Yes, Sir.

Seth Govind Das: Is there any possibility of their release now?

The Honourable Sir John Thorne: *I have nothing to add on that to what I have already said in the House.*

Prof. N. G. Ranga: Have Government finished all the consideration about their release?

The Honourable Sir John Thorne: Still considering it.

Prof. N. G. Ranga: How long will Government go on considering?

The Honourable Sir John Thorne: I cannot fix an exact time.

Seth Govind Das: Approximately?

The Honourable Sir John Thorne: Not even approximately.

Prof. N. G. Ranga: Is Government awaiting the advent of the next Government?

The Honourable Sir John Thorne: No, Sir.

Mr. President: Order, order. Next question.

NUMBER OF PRISONERS CONVICTED IN 1942 AUGUST MOVEMENT KEPT IN ALIPURAM JAIL

288. *Prof. N. G. Ranga: Will the Honourable the Home Member be pleased to state:

(a) how many political prisoners, who were convicted in connection with the 1942 August Movement are still kept in the Alipuram jail (Bellary) of Madras Presidency;

(b) how many of them have served (i) more than two years, (ii) more than three years, (iii) more than half their sentences; and

(c) whether in view of the cessation of war and the end of war emergency, Government will be pleased to remit the remaining portion of their sentences and release them or to place their cases before any quasi-judicial reviewing authority"

The Honourable Sir John Thorne: I have no information. The matter concerns the Government of Madras

Prof. N. G. Ranga: This is most extraordinary. We only ask for information Here is a question asking about the number of political prisoners in the Alipuram jail of the Madras Presidency Surely it cannot be pleaded by any Honourable friend that he is not able to obtain information though he has asked the Madras Government, or the Madras Government is not obliged to supply the information if asked It is more than a month since I gave notice of this question It ought to have been possible . . . .

Mr. President: The Honourable Member may be asked whether he is prepared to ask for the information

Prof. N. G. Ranga: That is what I am suggesting. It is the duty of the Government to do so and not to plead that they have not had enough time to ask for that information I am stating it is more than one month that I gave notice of the question. It speaks of the irresponsibility of the. . . .

Mr. President: The Honourable Member is arguing

Prof. N. G. Ranga: Why has Government not taken the trouble to ask for this information?

The Honourable Sir John Thorne: If my Honourable friend had been here just now he would have known that the same point arose on another question. I suggest that in regard to this my friend might get the information from the Madras Government. If he has any difficulty in doing so and will approach me I should be glad to help

Seth Govind Das: The Provinces are being governed under Rule 93. Under these special circumstances is it not the duty of the Central Government to collect all this information and supply them when such questions are asked?

Mr. President: It will be difficult to answer the question generally. It will depend on the nature of the question asked. But obviously, in a matter of all India importance, the question will be justified. But it is a question for Government to decide as to how they will answer.

Seth Govind Das: The question of political prisoners detained without trial and for unlimited periods, is I think a most important thing, and it is an all India question even if one prisoner is concerned.

Mr. President: The Honourable Member may now be further questioned.

Prof. N. G. Ranga: With regard to part (c), is it the policy of the Government that they are not interested at all or not concerned when the remaining portion of their sentences is remitted?

The Honourable Sir John Thorne: The question is whether Government will be pleased to remit the remaining portion of their sentences and release them. The Government of India have no power to do anything of the sort in regard to prisoners of the Provincial Governments.

Prof. N. G. Ranga: What is the policy of the Government of India in regard to such remissions?

The Honourable Sir John Thorne: The question does not arise as regards prisoners who are under the control of the Provincial Governments.

Sri M. Ananthasayanam Ayyangar: Is it not a fact that the cases at least of some of the political prisoners in Provinces are reviewed by the Central Government?

The Honourable Sir John Thorne: That is quite incorrect.

Sri M. Ananthasayanam Ayyangar: Is it true that not a single case from Madras had been reviewed by the Central Government before orders of release were communicated?

The Honourable Sir John Thorne: Not a fact.

Prof. N. G. Ranga: In regard to my own release, the Government of India had sent their advices to the Madras Government.

The Honourable Sir John Thorne: I can be quite positive that the Government of India passed no orders.

Prof. N. G. Ranga: There was a second part to my question "Or have they sent advice to the Madras Government".

The Honourable Sir John Thorne: I must ask for notice. Certainly not in my time.

Sreejut Rohini Kumar Choudhuri: Has the question of release of political prisoners been left entirely to the discretion of the Provincial Governments in those provinces where Section 93 is not in force now, *e.g.*, Assam?

Mr. President: The question is "in force".

The Honourable Sir John Thorne: May I ask it to be repeated?

Mr. President: Will the Honourable Member repeat?

Sreejut Rohini Kumar Choudhuri: Has the question of release of political prisoners been left entirely to the discretion of the Provincial Government in those provinces where section 93 administration is not in force now, *e.g.*, Assam?

The Honourable Sir John Thorne: Yes.

POLICY *RE* PRINTING OF NOTES AND ACCUMULATION OF STERLING BALANCES

289. *Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state whether any correspondence has taken place between the Government and the Reserve Bank of Inida with regard to (i) the policy of printing and issue of more notes, and (ii) the policy of accumulating more sterling balances?

(b) Has the Central Board of the Reserve Bank of India at any time raised any questions with regard to the measures taken by them, and is it a fact that Government have overruled in this respect?

The Honourable Sir Archibald Rowlands: (a) and (b). I would refer the Honourable member to the reply to parts (b) and (c) of his starred question No. 73, on 7th February, 1946.

Mr. Manu Subedar: Did the Honourable Member say 1945 or 1946?

The Honourable Sir Archibald Rowlands: 1946.

Mr. Manu Subedar: With regard to (a) and (b) and the policy of accumulating more sterling balances, have Government themselves issued a press note to the public and when was the last press note on this subject explaining the Government's policy?

The Honourable Sir Archibald Rowlands: That does not arise out of the question, which relates to communications between the Reserve Bank and the Government of India.

Mr. Manu Subedar: The Government's contention is that these communications are privileged documents. I am asking whether there has been any correspondence on this subject I am not asking for what the correspondence was.

The Honourable Sir Archibald Rowlands: Correspondence has taken place on all sorts of subjects between the Reserve Bank of India and the Government of India, including this subject

Mr. Manu Subedar: With regard to part (b) of the question, may I know whether it is not true that the Directors of the Reserve Bank protested against the continuance of the use of Section 41 for issuing more notes and for financing the purchases of His Majesty's Government by the tender of sterling?

The Honourable Sir Archibald Rowlands: I have already indicated that I cannot disclose the nature of any communication that passed between the Reserve Bank of India and the Government of India.

Mr. Manu Subedar: Will the Honourable Member make the policy of the Government clear on this subject without any regard to the Reserve Bank?

The Honourable Sir Archibald Rowlands: To my mind there will be plenty of opportunity in the near future for discussion and elucidation of the whole question

Sri M. Ananthasayanam Ayyangar: May I know if the Honourable Member ever proposed to discontinue the printing of these notes more and more at any time?

The Honourable Sir Archibald Rowlands: I do not print the notes, Sir.

Sri M. Ananthasayanam Ayyangar: I meant to ask whether the Honourable Member advised the Reserve Bank of India not to print any more notes and considered also the bringing about of a modification of the Reserve Bank of India Act?

The Honourable Sir Archibald Rowlands: I think there is a question on the printing of notes later on today.

Prof. N. G. Ranga: With regard to the other question, *viz.*, the necessary amendment of the Reserve Bank Act in order to withdraw the obligation that is cast on the Reserve Bank to issue notes against every pound sterling that accumulates to the credit of India, will Government consider the advisability of introducing at the earliest opportunity the necessary legislation?

The Honourable Sir Archibald Rowlands: The Reserve Bank does not issue notes merely because it gets sterling but because of the demand for notes from the public.

Prof. N. G. Ranga: The Honourable Member is only evading my question. I want him to give us a categorical assurance on the question whether Government will be introducing at the earliest opportunity the necessary legislation to amend the Reserve Bank Act in regard to this particular matter that

we have in mind, that is for every pound sterling that accumulates to the credit of India the Reserve Bank's present obligation to issue rupee notes equivalent to it shall be withdrawn.

The Honourable Sir Archibald Rowlands: As I have once already said, the question relates to the nature of the communication that passed between the Government and the Reserve Bank. My Honourable friend has branched off into a much wider field and I am perfectly prepared to discuss it on a suitable occasion.

Sri M. Ananthasayanam Ayyangar: My Honourable friend has entirely misunderstood Prof. Ranga's question. His question was how long is this state of affairs to go on. Will this obligation, on the part of this country or the Reserve Bank cease, of issuing notes against sterling that is presented under Section 41 of the Reserve Bank of India Act?

The Honourable Sir Archibald Rowlands: That is not covered by this question. I am prepared to discuss it on a suitable occasion.

Mr. Manu Subedar: All these questions are due to the anxiety which this country feels with regard to the continued purchases in this country through the tender of sterling and the obligation of the Reserve Bank to give rupees: and I say that Government are continuing this policy. Are they not continuing this policy against the advice of the Reserve Bank themselves and may I know when they will disclose it?

The Honourable Sir Archibald Rowlands: I have already said that I am not prepared to disclose the nature of communications that have passed between the Reserve Bank and the Government of India.

Sri M. Ananthasayanam Ayyangar: Arising out of his answer, is it in response to the demand on the part of the public that the Reserve Bank is issuing the notes? Is it in the interest of the public to add to the currency circulation of the country, which is already inflated?

The Honourable Sir Archibald Rowlands: That is a matter of opinion which will be discussed on a suitable occasion.

Sri M. Ananthasayanam Ayyangar: Is it the opinion of the Government of India that there is no inflation in this country and that we can go on adding to the currency?

The Honourable Sir Archibald Rowlands: I do not pretend that there has been no inflation in the currency. If the Honourable Member had watched the weekly statements of the last few weeks he would have found that the inflation is being arrested.

Mr. Manu Subedar: When on an average of ten crores or more notes were issued. . . . . .

Mr. Goffrey W. Tyson: Is it not a fact that the total under issue has not been added to in the last three weeks?

Sri M. Ananthasayanam Ayyangar: Is it not due partly to the demonetisation of the thousand rupee notes?

PROFITS TO GOVERNMENT FROM THE SALE OF SILVER IN INDIA

290. *Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state the total amount of silver sold by the Reserve Bank of India during the years 1939-40, 1940-41, 1941-42, 1942-43, 1943-44, 1944-45 and 1945-46 (upto 31st December 1945)?

(b) On whose behalf was this sold?

(c) What steps did Government take in order to get a share of the profits for India from the sale of silver in India?

(d) What steps did Government take in order to impose income-tax on profits made in India from the sale of silver?

The Honourable Sir Archibald Rowlands: (a) In million fine ounces 3 in 1939-40, 18 in 1940-41, 94 in 1941-42, 16 in 1942-43, none in 1943-44, 36·5 in 1944-45, 13·3 in 1945-46.

(b) The Government of India

(c) and (d). Do not arise.

Mr. Manu Subedar: Will Government state the circumstances under which it was necessary to sell this silver and why the sale of it was discontinued?

The Honourable Sir Archibald Rowlands: The reason why it was issued was to steady the bullion market. It was discontinued, because of shortage of supply.

Mr. Manu Subedar: In view of the fact that silver has now reached an unprecedented price of Rs. 145 or 146 per hundred tolas, will Government consider some means of steadying the price of silver? Are they negotiating for further silver to come here in order to steady the price or are they thinking of any other means?

The Honourable Sir Archibald Rowlands: Yes, Sir. That matter is under examination at the present moment

Dr. Sir Zia Uddin Ahmad: Did the Government fix the price of silver or leave silver to find its own level?

The Honourable Sir Archibald Rowlands: I am not quite sure what the policy was before the sales were stopped. At the moment, of course, we do not control the price of silver

PROFITS TO GOVERNMENT FROM THE SALE OF GOLD IN INDIA

291. *Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state the total amount of gold sold by the Reserve Bank during the years 1939-40, 1940-41, 1941-42, 1942-43, 1943-44, 1944-45 and 1945-46 (upto 31st December 1945)?

(b) On whose behalf was this sold?

(c) What steps did Government take in order to get a share of the profits for India from the sale of gold in India?

(d) What steps did Government take in order to impose income-tax on the profits made in India from the sale of gold?

The Honourable Sir Archibald Rowlands: (a) *Nil* in 1939-40 1940-41, 1941-42 and 1942-43;

About 3·4 million ounces in 1943-44;

About 3·2 million ounces in 1944-45;

About ·9 million ounces in 1945-46.

(b) The Governments of the United Kingdom and United States of America.

(c) Since the sales were made to meet the war expenditure of these Governments in India and to assist the Government of India's anti-inflationary measures, the question of profits does not arise.

(d) Even if there were any question of profits, the sales, being Governmental and not in the nature of trade or business transactions, were not liable to income-tax.

Mr. Manu Subedar: Has the Honourable Member seen any statement that the Government of South Africa made a profit of one million pounds sterling on the sale of gold in India? Is that a fact?

The Honourable Sir Archibald Rowlands: There are several questions on that on the order paper today.

Mr. Manu Subedar: May I know whether the United States Government's was the larger share or the smaller share out of this profit?

The Honourable Sir Archibald Rowlands: There is also a question on that. I will give the answer later.

Prof. N. G. Ranga: *When gold was being sold here as a commodity and when Government knew that those two Governments, the United Kingdom and the U. S. Governments,* were making a heavy profit, what was it that prevented the Government of India either from claiming a share of the profit or imposing an import duty on this gold?

The Honourable Sir Archibald Rowlands: I have explained the nature of the transaction. . . .

Prof. N. G. Ranga: The nature of it was explained by the Honourable Member. This gold was sold in order to pay for their purchases in this country. Therefore it was a sort of barter arrangement between their commodities and our commodities, I think. That is why I am asking the Honourable Member to give me an answer to the other question that I have put, *viz.*, what was it that prevented the Government of India from imposing an import duty on the sale of gold in this country in order to claim a portion of the abnormal profits that those people made?

The Honourable Sir Archibald Rowlands: I say that it is contrary to all international practice to impose an import duty on the property of another Government.

Mr. Manu Subedar: Have Government considered that in effect this meant that the United States Government and the British Government were able to take our commodities, for which this gold was used for paying, a little cheaper (to the extent of the profit) and, if so, will Government state whether they took any steps to compensate India in respect of those commodity prices?

The Honourable Sir Archibald Rowlands: The gold, as far as I understand, was sold for what it would fetch in the market, like any other commodity.

Mr. Manu Subedar: It did fetch more than the world price: these other Governments made a profit on the gold which they sold in India, and the profit they made was used to make other purchases here. but did Government take any steps by way of regulating commodity prices against these two large Governments to recover a little of what they were making by way of profit?

The Honourable Sir Archibald Rowlands: My Honourable friend is a business man and he sells his articles for what he can get for them, I suppose. On the second point, as far as I know, no step was taken

Dr. Sir Zia Uddin Ahmad: May I ask whether the price of gold was fixed by the Government of India or was it fixed by the owner of the gold or did the Reserve Bank of India allow it to be sold to the highest bidder?

The Honourable Sir Archibald Rowlands: I think the last.

Sri M. Ananthasayanam Ayyangar: May I know from the Honourable Member if any portion of the gold sold here on behalf of the United Kingdom belonged to the United Kingdom or whether the entire gold belonged to South Africa and it was sold through the United Kingdom and the United Kingdom made a profit?

The Honourable Sir Archibald Rowlands: I have no information as to the ownerships of the gold I imagine it was His Majesty's Government who imported it from South Africa; but I have no official information.

Sri M. Ananthasayanam Ayyangar: Did not the Honourable Member read in a newspaper article that Mr. Hofmayer, the Minister in South Africa, stated that the entire gold belonged to him and it was sold through the United Kingdom and they shared the profit half and half?

The Honourable Sir Archibald Rowlands: There are questions on that on the paper.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that in pursuing this policy, which the Honourable Member has stated, the South African Government used Reserve Bank as a black market for the sale of gold?

The Honourable Sir Archibald Rowlands: I do not think it was a black market: the prices are published in the papers every day.

DECIMAL SYSTEM OF COINAGE

292. *Mr. Manu Subedar: (a) Has the Honourable the Finance Member reached any conclusions with regard to changes in the coinage of the country so as to adopt the decimal system?

(b) Why has not this matter been brought before the Legislature?

(c) Have Government made any commitments in regard to this matter? If so, what are they?

The Honourable Sir Archibald Rowlands: (a) Decision in the matter of the decimalization of the Indian coinage system rests with the Indian Legislature.

(b) A Bill is being introduced to-day to effect amendments of the Coinage Act necessary for the decimalization of the coinage.

(c) No commitments in regard to the decimalization of the coinage have been entered into by Government in anticipation of the decision of the Legislature.

Mr. Manu Subedar: Have any opinions been called for already from the provincial governments on this subject?

The Honourable Sir Archibald Rowlands: Yes; a very large volume of opinion has been obtained.

Sri M. Ananthasayanam Ayyangar: Are they unanimous?

The Honourable Sir Archibald Rowlands: No, Sir; such opinions never are.

INCREASED ISSUE OF PAPER CURRENCY

293. *Mr. P. B. Gole: (a) Will the Honourable the Finance Member be pleased to state the reason why the increase in the issue of paper-currency is persisted in by the Reserve Bank of India when the war is over and the army is being disbanded?

(b) Is the increase in the issue of paper currency in India due to the fact that more money is required by the British Government for the rehabilitation of countries like Burma, Malaya, etc., and also for the United Kingdom? If so, what is the total amount of money so raised in India and the amount required by the United Kingdom for each of the countries to be rehabilitated?

(c) Was any demand made by the Government of the United Kingdom, by the Government of Burma or Malaya?

(d) What is the safeguard for the money thus raised?

The Honourable Sir Archibald Rowlands: (a) Notes are issued only in response to demands by the public and Government. The amount of currency in circulation depends not only on war expenditure but on a number of other factors, such as the volume of cash disbursements on Government civil account, the intensity of commercial and industrial activity, the general level of prices and the degree of liquidity preference on the part of institutions and the public generally

(b) and (c). The Government of India have agreed to meet certain requirements for the rehabilitation of Burma but not of any other country. The total amount of currency issued to the Government of Burma since V. J. Day is Rs. 2-2/3rd crores.

(d) The ultimate safeguard is the credit of His Majesty's Government.

Mr. Manu Subedar: With regard to part (a) of the question, may I ask a question which the Honourable Member said previously that it did not arise. Why are Government still continuing a policy which permits His Majesty's Government to purchase in this country against the tender of sterling, and what are the reasons why it cannot be stopped? The Honourable Member promised to answer this.

The Honourable Sir Archibald Rowlands: I will give that in my Budget speech.

Mr. Manu Subedar: I am obliged for the assurance. I had similar assurances from the previous Finance Member but he never did the various things he promised later on. May we not request the Honourable Member to give us a statement on this subject, if not today, in the next few days, separately from the Budget speech?

The Honourable Sir Archibald Rowlands: All I can say in the next few days is that the question is under examination.

Sri M. Ananthasayanam Ayyangar: The Honourable Member said in answer to the first part that there was another question on this subject. I naturally expected he would answer it now. Now he says we should wait till the Budget.

The Honourable Sir Archibald Rowlands: I have answered it in (a).

Dr. Sir Zia Uddin Ahmad: About these notes they have printed on behalf of Burma Government, I should like to know in what form the paper currency reserve for these notes was kept, as backing for these notes. Is it from actual reserves or from the reserves of the Burma Government?

The Honourable Sir Archibald Rowlands: It was against sterling by His Majesty's Government.

Mr. P. B. Gole: In reply to part (d), what steps have been taken, or is the safeguard only in the sterling balances?

The Honourable Sir Archibald Rowlands: I have answered that under (d).

Mr. Manu Subedar: Will the Honourable Member give the justification which Government had for the continuance of the use of this machinery of note issue after the stoppage of hostilities—part (h) of the question? What possible justification do Government have for the use of section 41 and the issue of more notes since the stoppage of hostilities? Will the Honourable Member reply now or will he do it in his speech on the Budget?

The Honourable Sir Archibald Rowlands: I will do it in my Budget speech.

Dr. Sir Zia Uddin Ahmad: Do I understand that by printing notes for the Government of Burma we are increasing our sterling balances?

The Honourable Sir Archibald Rowlands: Certainly.

RATES OF INTEREST OF LOANS FLOATED IN UNITED KINGDOM

294. *Mr. P. B. Gole: Will the Honourable the Finance Member please state:

(a) the maximum and minimum rates of interest on loans floated in the United Kingdom on behalf of the Government of India during the last 50 years; and

(b) the rate of interest charged by the Government of India on the sterling balances accumulated in the United Kingdom?

The Honourable Sir Archibald Rowlands: (a) The maximum rate was 7 per cent and the minimum 2½ per cent.

(b) As the sterling balances accumulated in the United Kingdom belong to the Reserve Bank of India, the question of the Government of India charging interest on such balances does not arise.

Mr. P. B. Gole: Do the sterling balances carry no interest at all?

The Honourable Sir Archibald Rowlands: Yes; of course they do.

Mr. Manu Subedar: How much?

The Honourable Sir Archibald Rowlands: It varies with the security which the Reserve Bank buys.

DECISIONS OF BRETTON WOODS CONFERENCE

295. *Mr. P. B. Gole: (a) When did the Honourable the Finance Member give an undertaking to give this Assembly an opportunity to discuss and record their opinion upon the conclusions reached at Bretton Woods Conference so far as they affected India?

(b) Did Sir Girja Shankar Bajpai sign the Washington Agreement which embodied the decisions of the Bretton Woods Monetary Conference? If so, on whose instructions did Sir Girja Shankar sign the Washington Agreement?

(c) If the Government of India issued any such instructions, why were such instructions issued without consulting this House beforehand?

The Honourable Sir Archibald Rowlands: (a) On the 14th February 1945

(b) Yes; on the instructions of the Government of India.

(c) I would draw the Honourable Member's attention to my speech in the debate in this House on the Bretton Woods Agreements on the 28th January 1946.

STERLING BALANCES FOR PURPOSES OF TRADE

296. *Mr. P. B. Gole: (a) What steps has the Honourable the Finance Member taken or intends to take in order to make available the Sterling Balances for the purposes of trade?

(b) Will such balances be available for India for the purchase of capital goods from any country?

(c) Will the Sterling Balances be available for India's use immediately or by instalments?

(d) If by instalment, what period will be covered by the instalment, and the total of each instalment?

The Honourable Sir Archibald Rowlands: (a) I would refer the Honourable Member to reply given to parts (d) and (e) of Mr. Manu Subedar's starred question No. 74, on 7th February 1946

(b), (c) and (d). All these questions will be matters for discussion at the negotiations which are pending between His Majesty's Government and the Government of India on the subject of the accumulated sterling balances.

Mr Manu Subedar: In view of the fact that those replies were unsatisfactory, we are coming over again with queries on the same very important subject Will not my Honourable friend tell this House whether Government have asked His Majesty's Government to send representatives here to open negotiations on the question of the sterling balances?

The Honourable Sir Archibald Rowlands: If I may say so with respect that is taking a little unfair advantage Normally communications between this Government and His Majesty's Government are confidential. The Honourable Member knows from the discussions in the committee that I have, at the special request of the committee, sent such a communication to His Majesty's Government

Mr. Manu Subedar: I was unable to disclose that information to the House, and I took the opportunity in the House of getting the information now made public to everybody that such an approach had been made May I know whether an assurance of any kind has been asked from His Majesty's Government to wipe out the effect of the sentiments expressed by Sir John Anderson and Mr. Churchill on the subject of the sterling balances?

The Honourable Sir Archibald Rowlands: I am not going to go any further into the nature of the correspondence that took place

Seth Govind Das: On a point of order, Sir The two chamber clocks show different times Which is to be taken as the correct time?

Mr. President: So far as question hour goes, I take the longer time for the time limit.

Srijut Dhirendra Kanta Lahiri Choudhury: I rise to a point of order. There are two clocks . . . . . .

Mr. President: The Honourable Member is repeating the same point

Dr. Sir Zia Uddin Ahmad: Are they electrically controlled?

Mr. President: I believe so. Let us not take up further time over this.

Mr. Manu Subedar: May I ask whether Government have made an estimate of their immediate requirements of currencies other than sterling and have broached the subject of the conversion of sterling into these other currencies?

The Honourable Sir Archibald Rowlands: That investigation is proceeding at the present moment.

Sri M. Ananthasayanam Ayyangar: What is the credit standing in India's favour in the dollar pool?

The Honourable Sir Archibald Rowlands: That question does not arise

Sri M. Ananthasayanam Ayyangar: How much of the sterling balances is convertible into dollars for the use of India?

The Honourable Sir Archibald Rowlands: The dollar pool is not in this question.

Sri M. Ananthasayanam Ayyangar: I submit it arises out of part (b) of the question: "Will such balances be available for India for the purchase of capital goods from any country?" If sterling is converted into dollars, then naturally we are entitled to use them for purchases in the U S A

The Honourable Sir Archibald Rowlands: Dollars have been so converted into sterling. That is the whole essence of the Dollar Pool.

Mr. Manu Subedar: Have the Government of India represented to His Majesty's Government that India is not bound by the provisions of the Anglo-American Agreement which are prejudicial to the interests of India?

(No reply.)

Mr. Manu Subedar: May I then ask whether Government will consider the advisability of representing to His Majesty's Government that India is not bound by those clauses of the American loan agreement which are prejudicial to India?

The Honourable Sir Archibald Rowlands: Certainly.

Mr. P. B. Gole: According to the conditions laid down in the Washington Agreement less than 10 per cent of the sterling balances would be available for immediate payment

The Honourable Sir Archibald Rowlands: I do not understand how you get that calculation. We are not a party to the Anglo-American Agreement.

Mr. Manu Subedar: Have not various economic and financial journals in Britain been flinging out articles saying that India will not be able to obtain even the fraction mentioned by my Honourable friend here?

The Honourable Sir Archibald Rowlands: I am not responsible for the opinions of economic and other journals in England.

Mr. Manu Subedar: What is Government doing to safeguard India's interests in this matter?

The Honourable Sir Archibald Rowlands: Everything that is possible.

Seth Yusuf Abdoola Haroon: Will the Government of India take an assurance from the United Kingdom on this subject?

The Honourable Sir Archibald Rowlands: On what subject?

Seth Yusuf Abdoola Haroon: On the subject of sterling balances?

The Honourable Sir Archibald Rowlands: We are going to discuss the whole question.

Seth Yusuf Abdoola Haroon: The full payment of the sterling balances?

The Honourable Sir Archibald Rowlands: That is one of the things we are going to discuss.

Prof. N. G. Ranga: Will the Government of India inform the British Government about the anxiety felt in this country about the articles written in such

important British papers as the *Economist* and the *Manchester Guardian* on the question of the scaling down of the sterling securities?

The Honourable Sir Archibald Rowlands: I think Prof. Ranga can take it that I shall do my best to do my duty

Mr. P. B. Gole: By what percentage were the sterling balances to be scaled down according to Article 10?

The Honourable Sir Archibald Rowlands: By no percentage at all.

QUOTA OF CONTRIBUTION TO INTERNATIONAL MONETARY FUND

297. ***Mr. P. B. Gole:** (a) Has the Honourable the Finance Member agreed to contribute to the International Monetary Fund? If so, what is the quota which Government have agreed to contribute?

(b) What arrangements have been made to pay the quota?

The Honourable Sir Archibald Rowlands: (a) By signing the Articles of Agreement of the Fund, India has undertaken to subscribe to the Fund the quota allotted to her. India's quota is 400 million dollars

(b) None, except that an advance payment of one hundredth of one per cent. of the quota amounting to Rs 1·3 lakhs has been made towards the initial expenses of the Fund

Sri M. Ananthasayanam Ayyangar: By what time may we be asked to contribute to the Fund?

The Honourable Sir Archibald Rowlands: I have no information on the point

Sri M. Ananthasayanam Ayyangar: Would it not be less than six months from now?

The Honourable Sir Archibald Rowlands: I believe the Americans will be able to start the fund by then certainly

WARNING AGAINST VIOLENT SUPPRESSION OF FREEDOM MOVEMENT IN SOUTH EAST ASIA

298. ***Prof. N. G. Ranga:** Will the War Secretary be pleased to state:

(a) if his attention has been drawn to the warning given by Pandit Jawaharlal Nehru in the A.P.I. New Delhi message, dated November 10th, to the British and other Allied Nations against violently suppressing the freedom movements of South East Asia;

(b) if Government have taken care to inform the British and the Allied Governments about Pandit Nehru's warning; and

(c) whether Government have made known to the British Government about his voicing of the resentment felt by the Indian public against the use of Indian troops against the Indonesians?

Mr. P. Mason: (a) Yes, Sir.

(b) and (c). No, Sir, the general state of Indian public opinion has been explained to His Majesty's Government.

Prof. N. G. Ranga: May I know why the Government of India have not taken care to inform the British and Allied Governments about Pandit Nehru's views?

Mr. P. Mason: We have explained to His Majesty's Government the general state of public opinion in India. We have not attempted to communicate the views of everyone in this country.

Prof. N. G. Ranga: Does that appreciation of the state of public opinion in this country also refer to the adjournment motion passed in this House in the first instance and also the later adjournment motion passed in regard to the same question?

Mr. P. Mason: Yes, Sir.

Prof. N. G. Ranga: Did the Government of India inform the British Government as well as the U. N. O. delegates about the strong exception taken by this House over failure of this Government in communicating the results of the first adjournment motion in this House?

Mr. P. Mason: I do not think that arises out of this question.

Prof. N. G. Ranga: It arises out of part (c) Let my Honourable friend look into it again: "The resentment felt by the Indian public against the use of Indian troops against the Indonesians".

Mr. P. Mason: We have told His Majesty's Government the general state of Indian opinion, including the point you have just made. The U. N. O. delegation does not arise out of this question, and in any case should not be addressed to me.

Sir Muhammad Yamin Khan: Has the Honourable Member informed His Majesty's Government about the opinion of this House as well?

Mr. P. Mason: Yes, Sir, as I have repeatedly said.

Prof. N. G. Ranga: What is it that prevents this Government of India from agreeing with the opinion expressed by Pandit Jawaharlal Nehru and also expressed repeatedly in this House?

Mr. P. Mason: Their own opinion.

Seth Govind Das: The Honourable Member said that he did not attempt to give everybody's opinion in this country. Does he know that Pandit Nehru does not come under the category of 'everybody'?

(No reply.)

FINANCIAL ASPECT OF POST-WAR PLANS OF PROVINCIAL GOVERNMENTS

299. *Mr. Manu Subedar: (a) Will the Honourable Member for Planning and Development give a summary of the financial aspect of the plans of the Government of India and of the various Provincial Governments?

(b) What undertaking have the Government of India given to the Provincial Governments to finance their schemes wholly or partly?

(c) How much money will the Government of India give to the Provincial Governments for this purpose during the next budget year?

(d) How much money have the Government of India provided for the importation of the machinery required for the various Departments of the Government of India in connection with their post-war plans?

The Honourable Sir Archibald Rowlands: (a), (b), (c) and (d) I would ask the Honourable Member to await my Budget speech

Mr. Manu Subedar: We are anxious about one fact It appears from newspaper reports and the summaries by the news agencies upstairs that the Government of India is committing themselves to a grant of 60 crores of rupees to various provinces, which will not be recoverable Is that so?

The Honourable Sir Archibald Rowlands: The figure is wrong and the nature of the grant is wrong. The Government have for some time told the provinces that they could plan on the basis of a five year period and that they could reasonably expect to get some money from the Centre and the grants made are advances against those sums.

Mr. Manu Subedar: With regard to (d). I respectfully submit that this is an issue which ought not to wait till the Budget speech What we want to know is: in what manner, up to what limits and of what order are the sums for the purchase of machinery by various Government Departments themselves. We hear that machinery for various departments such as Railways, Public Works, etc., is running into crores of rupees. In other words, several hundred crores worth of orders are being placed in the United Kingdom on Government account during the current period. That is the question.

The Honourable Sir Archibald Rowlands: If it were so, it would reduce the sterling balances.

Mr. Manu Subedar: Are the orders being placed?

The Honourable Sir Archibald Rowlands: I am afraid I have not got the information readily available but I will get it for the Honourable Member.

Dr. Sir Zia Uddin Ahmad: Is the Honourable Member aware of the fact that many Honourable Members do not agree with the policy of Government about their planning? Will the Honourable Member consider the advisability of not spending any money on this planning without giving an opportunity to this House to express their opinion on the planning policy of the Government?

The Honourable Sir Archibald Rowlands: I think the House will have plenty of opportunity in the course of the next three weeks to examine the proposals.

Dr. Sir Zia Uddin Ahmad: May I ask the Honourable Member not to include any item in the Budget about planning policy without taking the opinion of the House?

The Honourable Sir Archibald Rowlands: I have included them in the Budget and it is for the House to do what they like with it.

Sri M. Ananthasayanam Ayyangar: May I know if any plans are complete? What are their financial implications? How much does the Centre bear and how much do the Provinces bear?

The Honourable Sir Archibald Rowlands: There are several plans, and some of them are complete.

Sri M. Ananthasayanam Ayyangar: What proportion of contribution does he propose to include in his Budget for use by the provinces?

The Honourable Sir Archibald Rowlands: Approximately thirty crores.

Sri M. Ananthasayanam Ayyangar: What percentage of the total financial cost of all the plans?

The Honourable Sir Archibald Rowlands: The total plans for all the provinces within the next five years added up cost about Rs 900 crores.

Dr. Sir Zia Uddin Ahmad: May I ask whether the Honourable Member has examined the position that their planning is the planning for millionaires and billionaires and not for the benefit of the poor people?

The Honourable Sir Archibald Rowlands: If I spot any such plans, I will throw them out.

Sri M. Ananthasayanam Ayyangar: Thirty crores out of a total of 900 crores seem to be very small proportion. May I know from the Honourable Member on what basis the contribution of 30 crores is made?

The Honourable Sir Archibald Rowlands: It is a start.

Sri M. Ananthasayanam Ayyangar: Does it mean that the Government of India propose to contribute the entire 900 crores to the Provinces?

The Honourable Sir Archibald Rowlands: I do not think, they can, even if they want to do. They have no such intention

Sri M. Ananthasayanam Ayyangar: What is the present proposal? What percentage do the Government propose to contribute to Provinces in instalments?

The Honourable Sir Archibald Rowlands: It was not any expressed proportion of expenditure incurred by Provinces The Provinces were told that they could plan on the basis of this that they may expect from the Centre, during the first five years, approximately Rs 250 crores in total.

Mr Manu Subedar: In view of the fact that the Government's statement on the subject was very obscure, may I know what portion of Government of India's contribution is intended to be recovered and what portion will be given in the shape of grants which will not be recovered? Will the Honourable Member issue a statement clarifying the position?

The Honourable Sir Archibald Rowlands: I shall have a look at the statement again today. I do not think myself that the statement was obscure.

Sri M. Ananthasayanam Ayyangar: May I know how the Government of India propose to make this advance of Rs. 250 crores, is it from revenue or by way of loan?

The Honourable Sir Archibald Rowlands: Both, Sir.

Sri M. Ananthasayanam Ayyangar: What percentage by way of loan and what percentage from revenues?

The Honourable Sir Archibald Rowlands: Approximately equal percentages.

Prof. N. G. Ranga: Were the provinces consulted in the matter or was the whole thing arbitrarily fixed?

The Honourable Sir Archibald Rowlands: It was done in closest consultation with the provinces.

RECIPROCITY REGARDING REPRESENTATION OF PRESSMEN

300. *Sri M. Ananthasayanam Ayyangar: Will the Honourable Member for Information and Broadcasting please state:

(a) if press representatives from other countries of the world are allowed to stay in India and send out messages to their respective countries, if so, what countries are represented by pressmen or press agencies;

(b) if pressmen or any kind of our representatives are allowed in those countries;

(c) if there are any such countries which do not allow pressmen from India into their countries; and

(d) if the answer to (a) is in the affirmative, whether he proposes to consider taking necessary action to put matters on a basis of absolute reciprocity?

The Honourable Sir Akbar Hydari: (a) Yes America, Russia, China, France, Australia and New Zealand.

(b) and (c). As far as the Government of India are aware, no case has arisen of refusal by these countries to allow representatives of the Indian Press to enter them.

(d) The question does not arise.

I.N.A. PERSONNEL IN MILITARY CONCENTRATION CAMPS IN INDIA AND OUTSIDE

301. *Sri V. Gangaraju: (a) Will the War Secretary please state how many I.N.A. officers and other ranks are still in military concentration camps in India and how many are outside India?

(b) What is the number of camps in which I.N.A. men are kept?

(c) How many camps are located in each Province, and how many I.N.A. men are kept in each camp?

(d) How many of the I.N.A. men have been interrogated till now? After interrogation how many of them have been released?

(e) What is the number of I.N.A. women?

(f) Have Government brought any of the I.N.A. women to India, If so, what is their number and in what camps and in which Provinces are they kept and what is the policy of Government with regard to I.N.A women's release?

(g) How many I.N.A. Medical Officers are there in military concentration camps in India and outside India?

(h) Do Government pay salaries to the I.N.A. Medical Officers? If so, to how many, and what amounts?

(i) Why Government still keep the I.N.A. medical men in detention when there are no charges of crimes and atrocities against them? When do Government propose to release them?

(j) In view of the proved patriotism of the I.N.A. men, are Government prepared to absorb suitable men of the I.N.A. in Government employment?

Mr. P. Mason: There are no concentration camps. I assume the Honourable Member means Holding and Enquiry centres.

(a) Since I answered two similar questions last Tuesday, information has come to hand about further arrivals from overseas. The total numbers of military members of the I. N. A. at Holding and Enquiry centres in India on the 2nd February was 5,440. There were approximately 3,022 still held overseas.

(b) and (c). Of these 5,440 persons 3,367 were in Jhingergacha, 1,579 in Multan, 127 in Delhi Cantonment, 82 in the Red Fort, 31 at Bairagarh, and 254 were in hospitals.

(d) As stated before approximately 11,000 have been interrogated, of whom all have been released unconditionally except for the 28 who were convicted.

(e) and (f). About 500, none of whom have been brought to India. As regards Government's policy for dealing with them, I understand from the Home Department which is the Department concerned, that there is no objection to their coming to India and they will not be held for interrogation when they come.

(g), (h) and (i) 37 in India and 7 overseas These officers receive the same treatment as other military officers who joined the I. N. A. Their cases are being investigated as rapidly as possible and 14 have already been released.

(j) I cannot agree that their patriotism has been proved and have already explained the reasons why they cannot be found any further employment.

Seth Govind Das: Is there any I. N. A camp in Jubbulpore?

Mr. P. Mason: No, Sir.

Seth Govind Das: How is it that so many I. N. A. prisoners are released from Jubbulpore?

Mr. P. Mason: As I have explained already, those who were classified as having been misled are discharged and not dismissed. They go to their regimental centres where their final accounts their clothing and things of that kind are settled up They remain in the regimental centres, as a rule for five or ten days That must be the reason, for their going to Jubbulpore.

Seth Govind Das: Has the Honourable Member seen a statement issued by a released prisoner from Jubbulpore jail about the atrocities committed in Jubbulpore jail itself?

Mr. P. Mason: No Sir If it was in Jubbulpore jail, then he was not a military member of I. N. A

Sardar Mangal Singh: The Honourable Member referred to military I. N. A. men May I enquire whether any member of civil I. N. A has been brought to India?

Mr P. Mason: I want notice

Prof. N. G. Ranga: Who deals with the civilian section of I. N. A. men?

Mr. P. Mason: The Honourable the Home Member

Victory-day Parade at Delhi

302. *Sri M. Ananthasayanam Ayyangar: (a) Will the War Secretary please state if arrangements are being made to celebrate the Victory Day once again by a parade of the troops at Delhi during this year?

(b) Is it proposed to bring in all units of the army from the various parts of India on that day, including officers and other Ranks?

(c) How many soldiers are likely to take part, and what is the probable cost of (i) bringing in the soldiers and their transportation allowances, and (ii) their arrangements here?

(d) What was the cost to the Central Exchequer for the celebration of the V-G and V-J days and other parades held on the occasion of the distribution of Victoria Crosses, separately?

(e) What is the need for having a parade once again in Delhi?

Mr. P. Mason: (a) Yes, Sir. Victory Week will be celebrated in Delhi, from the 4th to the 9th of next month, and a Victory Parade will be held on the 7th.

(b) No, Sir, not all units. Selected units which are representative of India's fighting forces are coming from various parts of India and will take part in the Victory Parade.

(c) About 10,000. It is estimated that the expenditure on their transportation to Delhi and back will be in the neighbourhood of 4 lakhs of rupees. The estimated expenditure on other arrangements in Delhi is Rs. 6 lakhs which includes accommodation but not such items as rations which are a normal charge wherever troops may be.

(d) The information asked for is not readily available. I am collecting it and shall lay a statement on the table in due course.

(e) Because, Sir, with the help of God and our allies, we have defeated the greatest military power in history.

Seth Govind Das: In view of the present distressing circumstances in the country and of its poverty, do the Government not think this will be a waste of money?

Mr. P. Mason: No, Sir.

Sri M. Ananthasayanam Ayyangar: What is the victory which is being celebrated?

Mr. P. Mason: Victories over Germany and Japan.

Sjt. N. V. Gadgil: Is it the victory of Imperialism over Fascism?

Mr. P. Mason: No, Sir.

Sri M. Ananthasayanam Ayyangar: May I know whether this victory was not celebrated individually over Germany as V. E. day and over Japan as V. J. day?

Mr. P. Mason: Small local celebrations were held, but it was announced at the time that there would be an opportunity for more organised celebrations during the winter.

Sri M. Ananthasayanam Ayyangar: Was there not a celebration here in Delhi during that period?

Mr. P. Mason: Yes, Sir.

Mr. Manu Subedar: In view of the famine staring the country in the face and in view of the prospect of a deficit Budget which the Honourable the Finance Member is going to present, is it too late to stop this heavy expenditure which my Honourable friend thinks will be incurred?

Mr. P. Mason: It is too late to stop the major part of the expenditure which was on accommodation.

Sri M. Ananthasayanam Ayyangar: In view of the broadcast speech of His Excellency the Viceroy, may I know if these questions and answers had been communicated to His Excellency for further consideration?

Mr. P. Mason: No, Sir, I have only just answered these questions. I do not quite see the relevancy because the amount of food that will be consumed will be exactly the same wherever the troops are. They eat just the same.

VERIFICATION OF REPORT OF DEATH OF NETAJI SUBHASH CHANDRA BOSE

303. *Shri Satya Narayan Sinha (on behalf of **Shri Mohan Lal Saksena**): (a) Will the Honourable the Home Member be pleased to state whether Government took any steps to verify the reported death of Netaji Subhash Chandra Bose? If so, what?

(b) What are the names of all the important Indians associated with Netaji Subhash Chandra Bose who are supposed to have gone into hiding?

The Honourable Sir John Thorne: (a) I would refer the Honourable Member to the reply given to Sardar Mangal Singh's starred question No. 223, on the 12th February.

(b) The only important associates of Mr. Subhash Chandra Bose whose present whereabouts are unknown are Messrs. Deb Nath Das and A. N. Sarkar.

(b) WRITTEN ANSWERS

DEFINITION OF THE TERM "PENSION".

304. *Babu Ram Narayan Singh: (a) Will the War Secretary please refer to his reply to starred question No. 1277 of the 22nd March, 1945, and to the definition of the term "Pension" given in Section 311 of the Government of India Act, 1935, and state the statutory authority:

(i) for the declaration that Section 136 of the Army Act applies only to "Pay" and not to "Pension"; and

(ii) for treating "Pension" as an emolument independent of the statutory definition which makes it include "retired pay", payable in respect of service rendered?

(b) Does he propose to take action in cases affected by the declaration in (a) above? If so, what?

Mr. P. Mason: (a) and (b) The distinction between military pay and pension is a matter of the interpretation of the Army Act and the Indian Army Act. The interpretation given by my predecessor has the support of long usage, and has not so far as I am aware previously been challenged.

Section 311 of the Government of India Act of 1935 is irrelevant to the interpretation of the Army Act.

DISTINCTION BETWEEN HIS MAJESTY'S INDIAN FORCES AND HIS MAJESTY'S FORCES IN INDIA

305. *Babu Ram Narayan Singh: (a) Will the War Secretary please refer to starred question No. 1394 of the 27th March, 1945, and state:

(i) if Government has not distinguished between His Majesty's Indian Forces and "His Majesty's Forces in India" referred to in section 235 of the Government of India Act 1935; and

(ii) if the rules embodied in Pension Regulations 1940, governing stoppages, forfeiture, reductions, deductions in respect of emoluments of "Pay", "retired Pay", disability Pension, family Pensions, Victoria Cross Allowance and Jangi Inam to personnel of His Majesty's Indian Forces have, in fact, been framed with the previous approval of the Secretary of State for India or of the Secretary of State as referred to in that section of the Government of India Act?

(b) Does he propose to review the rules in (a) above? If so, when? If not, why not?

Mr. P. Mason: (a) I am afraid my predecessor's reply to Starred Question No. 1394, of the 27th March, 1945, was misleading. Section 235 of the Constitution Act empowers the Secretary of State to specify what rules or regulations shall be made with his consent, and the rules made by the Governor-General are not made under the authority of that section.

The rules in Pension Regulations for the Army in India were made by the Governor-General, and in respect of the personnel referred to in Rule 1 thereof, most of whom are personnel of His Majesty's Indian Forces, they have received the approval of the Secretary of State.

The expression "His Majesty's Forces in India" includes "His Majesty's Indian Forces".

(b) Attention is drawn to the press note issued on the 29th January, 1946, announcing the appointment of a committee to make recommendations on the Post-war pay, allowances and pensions of the three Defence Services. The terms of reference of the committee, as already announced, are to review the

rates and the rules for the grant of pay and allowances, pensions and gratuitie of the Indian Armed Forces and personnel of the British Armed Forces servin in India, and to make recommendations on these matters to the Government o India.

TOPPAGE OF ALLOWANCES TO INDIAN PERSONNEL FOR SPECIAL DEEDS OF BRAVER

306. *Babu Ram Narayan Singh: (a) Has the attention of the War Secretary been drawn to the fact that Victoria Cross Allowance, Military Cross Allowance and Jangi Inams which His Excellency the Governor General of India has granted to the Indian personnel in respect of special deeds of bravery, have been stopped by the orders of officers other than the prescribed officers and no notice has been taken of Section 300 (2) of the Government of India Act, 1935, which enacts that no "pension" shall be stopped or reduced except on orders by His Excellency the Governor General in exercise of his individual judgment?

(b) Does he propose to give any other relief to persons and families affected by the stoppage referred to in (a)? If so, what? If not, why not?

Mr. P. Mason: (a) No, Sir. If the Honourable Member will give me details of any such cases I shall have the matter looked into.

(b) Does not arise.

VALUE OF HIGH DENOMINATION NOTES IN CIRCULATION

307. *Seth Govind Das: Will the Honourable the Finance Member be pleased to state.

(a) the total value of high denomination notes in circulation in India before the High Denomination Bank Notes (Demonetisation) Ordinance came into force;

(b) the total value of such notes which were exchanged for notes of small denomination—after this Ordinance came into force;

(c) whether the Honourable Member is aware of the fact that the time limit given was quite insufficient for the illiterate public of the villages who live hundreds of miles away from the treasury in the interior of the country; and

(d) if Government are aware that this rule of fixing time limit for the exchange of high denomination notes and submitting the holder of such notes to a searching inquiry is a distinct departure from the procedure pursued in other western countries specially England where holders of such notes have been granted indefinite period to exchange these notes and no enquiry is made in general, regarding the whereabouts of such notes?

The Honourable Sir Archibald Rowlands: (a) I would invite the Honourable Member's attention to the answer I gave on the 12th February 1946, to part (a) of the starred question No. 218, by Mr. Venkatasubba Reddiar.

(b) Rs. 120·08 crores up to the 9th February 1946.

(c) I do not share the Honourable Member's view judging by the amount of high denomination notes exchanged so far. I assume that he has seen Finance Department Notification No. D. 559-FIII/46, dated the 26th January, 1946, which provides for a further extension of the time-limit at the discretion of the Governor and the Deputy Governor of the Reserve Bank in special cases.

(d) Yes, Sir, but the measures taken were much less strong than in one of the countries which the Honourable Member no doubt has in mind.

BLACK MARKETING IN HIGH DENOMINATION NOTES

308. *Seth Govind Das: Will the Honourable the Finance Member please state:

(a) how far the Government of India have been successful in achieving their object for which the High Denomination Bank Notes (Demonetisation) Ordinance was promulgated;

(b) the number of cases of black-market and bribery which have been detected on account of the promulgation of this Ordinance; and

(c) if it is a fact that notes of high denominations *i.e.* of Rs. 1,000 each have been sold for six to eight hundred rupees in some parts of this country; if so, the number of cases detected of this nature?

The Honourable Sir Archibald Rowlands: (a) and (b). Pending the results of a scrutiny of the declaration forms it will be premature to give an appreciation of the position, but I am very satisfied with the progress made to date.

(c) I am not able to confirm the report to which the Honourable Member refers; nor have I yet heard from the Provincial Governments of any prosecutions recommended by them.

HARASSING TREATMENT BY THE INCOME-TAX OFFICER, CHHINDWARA

309. *Seth Govind Das: (a) Will the Honourable the Finance Member be pleased to state whether he is aware of the fact that there is considerable resentment amongst the Income-tax assessees of the Seoni town and Sub-Division in the Chhindwara District, Chhindwara Income-tax Circle, in the Central Provinces due to the humiliating and harassing treatment given to them by the Income-tax Officer, Chhindwara, who gives day to day adjournments and keeps the persons summoned waiting from 11 A.M. to 6 P.M.?

(b) Is it a fact that cases are seldom called at the hours stated in the summons and that in one case a person was called for five consecutive days and in another for eight days by enforcing daily adjournments?

(c) Is it a fact that cases have been fixed by him on Sundays and then the unfortunate parties have been made to wait till 4 p.m. as the Officer, in question, was getting his car repaired till 2 p.m. and then went out to take its trial for another two hours?

(d) Does the Honourable Member propose to take steps to put an end to this state of affairs as no action has been taken by the Income-tax Commissioner, Central Provinces and United Provinces, Lucknow, though the relevant information had reached him?

Mr. R. C. A. Cook: (a), (b), (c) and (d). Allegations such as those made by the Honourable Member have not been brought to the notice of either the Commissioner of Income-tax or the higher authorities concerned, since Mr. Gwalre was transferred to Chhindwara. Such complaints were, however, made during the time Mr. Gwalre was posted at Saugor. Government will not tolerate such conduct in a public servant and it is largely due to Mr. Gwalre's erratic habits that the Commissioner did not permit him to cross the second efficiency bar and that he has been given notice that he will be compulsorily retired from service as from the 23rd of June 1946. In fact he is now on leave preparatory to retirement. It is incorrect to suggest that the Commissioner of Income-tax concerned has not taken any action.

PUBLICATION OF NOTES *re* LEND-LEASE ARRANGEMENT WITH U.S.A.

310. *Mr. K. C. Neogy: Has the attention of the Honourable the Finance Member been drawn to the assurance given by Sir Jeremy Raisman in the Legislative Assembly on the 26th March, 1945, as reported at page 2065 of the Assembly Debates of that date, that an exhaustive note dealing with the lend-lease arrangements with U.S.A. will be prepared and published? If so, when can a publication of this nature be expected to be available to the Members of this House?

The Honourable Sir Archibald Rowlands: With your permission Sir, I propose to answer questions 310 and 311 together.

Lease-lend and Reciprocal Aid arrangements with United States of America as well as the Mutual Aid arrangements with Canada terminated on the 2nd September 1945. The compilation of the data relating to these arrangements is in progress. Discussions will be started in March with the United States Government in Washington to arrive at a settlement. A full statement to the House will be made in due course.

EFFECT OF TERMINATION OF LEND-LEASE AND REVERSE LEND-LEASE ARRANGEMENTS BETWEEN U.S.A. AND INDIA

†311. ***Mr. K. C. Neogy:** (a) Will the Honourable the Finance Member be pleased to state whether the lend-lease and reverse lend-lease arrangements between U. S. A. and India, as also the operation of the Indo-Canadian Mutual aid agreement, have been terminated? If so, with effect from which date?

(b) When is the accounting of the lend-lease and reverse lend-lease arrangements between U. S. A. and India and the mutual aid agreement between India and Canada, likely to be completed?

TRIAL OF BIHAREE I.N.A. MEN

312. ***Choudhury Md. Abid Hussain:** (a) Will the War Secretary be pleased to state the number of Biharee I.N.A. men who are under custody, and whether they are going to be tried by court-martial?

(b) How many of them are Muslims?

Mr. P. Mason: (a) So far as I have been able to ascertain in the time at my disposal, four I. N. A. men from Bihar have been brought back to India. No evidence has yet come to light which would render them liable to court-martial

(b) Apparently there are no Muslims amongst them

AMOUNT OF COLLECTION OF DIFFERENT WAR FUNDS

313. ***Sri M. Ananthasayanam Ayyangar:** Will the Honourable the Finance Member please state:

(a) the total amount collected under the following heads in the whole of India during the past six years (i) Governor's War Funds, (ii) Red Cross donations, and (iii) other war funds and contributions from British India;

(b) the amounts still outstanding (unspent) in those funds and what is proposed to be done with them;

(c) whether the accounts of those funds were audited by qualified auditors, and

(d) whether it is proposed to consult the public who contributed these funds as to the disposal of the balances, if any?

Mr. B. C. A. Cook: The Government of India have no information readily available in regard to the various Provincial Governors' War Funds or Red Cross collections or other war funds As regards the Viceroy's War Purposes Fund, the answers are:

(a) Rs. 12,83,00,000 of which about Rs 6,75,00,000 have been contributed by the States.

(b) Rs. 1,69,00,000. Of this Rs. 41 lakhs were contributed for specific purposes such as the Red Cross, the benevolent funds of the Services, etc. Arrangements are being made for their transfer to these objects. Amongst these earmarked donations is a gift of Rs. 14 lakhs from the Sudan Government in commemoration of the part played by Indian troops in the defence of the Sudan His Excellency with the approval of the Sudan Government proposes to devote this sum to the Military Academy which is being set up as the Indian War Memorial The remaining Rs. 128 lakhs represent contributions not earmarked by the donors for any specific purpose, which are to be spent at His Excellency's discretion on beneficient purposes connected with the war. On this matter His Excellency is advised by an Appeal Committee created to help him in the administration of the Fund.

(c) Yes; by the Accountant General, Posts and Telegraphs, as Honorary Auditor.

(d) The disposal of the balances is now under His Excellency's consideration, and will be done in consultation with his Committee, in furtherance of the objects of the Fund.

†For answer to this question, see answer to question No. 310.

PROFITS DUE TO SALE OF SOUTH AFRICAN GOLD TO INDIA

314. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable the Finance Member be pleased to state if his attention has been drawn to the Reuter news from Cape Town, published on page 3 of the Evening News of the *Hindustan Times* of the 2nd of February that the South African Finance Minister, Mr. J. F. Hofmeyr, stated in the Assembly, that the Union Treasury was benefited by £1,072,182 being her share of profits made on sale of gold to India?

(b) What is the total amount of gold sold to India by South Africa, from June 1940 to September 1945, and what were the purchase and sale prices, and through which Agency the gold was sold?

(c) What is the share of the British Government in the profits made in the transaction? Why was it allowed to intervene and why did not the Government of India have direct dealings with South Africa?

(d) Did any portion of the profits go to the Government of India?

The Honourable Sir Archibald Rowlands: (a) No Sir, I rarely look at the *Hindustan Times* unless it contains a Shankar cartoon; but my attention has been drawn to a similar article.

(b) No gold was sold to India by South Africa.

(c) and (d) The gold was sold in India on behalf of His Majesty's Government and the Government of the United States of America to assist them in meeting their war expenditure in India. A similar arrangement with the South African Government was not necessary. The Government of India are not aware of the arrangements between His Majesty's Government and the South African Government.

CANCELLATION OF ARMS LICENCES BY THE DISTRICT MAGISTRATE, DELHI

315. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable the Home Member be pleased to state if it is a fact that the District Magistrate, Delhi, has cancelled recently and is still cancelling a large number of licences for guns and revolvers on the ground that the holders of these licences did not purchase any ammunition during the last four or five years?

(b) Is it a fact that among the persons whose licences have thus been cancelled are high Government Officials and Government pensioners, some of whom have been holding these licences for the last twenty years or even longer?

(c) Is it not a fact that during the period of war ammunition was not easily available and it was very difficult for the civil population to obtain it?

(d) Is the action of the District Magistrate, Delhi, a part of any new policy of Government to disarm completely the civil population?

(e) If the answer to part (d) above is in the negative, do Government propose to direct the District Magistrate, Delhi, to stop cancelling any more licences and renew those which he has already cancelled on the ground mentioned above?

The Honourable Sir John Thorne: (a) Yes.

(b) No. Licences of serving Government officials have not been cancelled and if those of Government pensioners have been cancelled, it is because there is evidence to show that such persons are not in need of fire arms.

(c) Recently yes, but ammunition was available in sufficient quantity until 1942.

(d) No.

(e) No.

TRIAL OF RAJA MAHENDRA PRATAP IN JAPAN

316. *Sardar Mangal Singh: Will the War Secretary please state:

(a) whether Raja Mahendra Pratap is being tried as a war criminal in Japan;

(b) whether the Government of India was informed of this decision; whether there are any arrangements for his defence; and

(c) whether proper facilities will be given to any of his relations or friends who may wish to go to Japan for his defence?

Mr. P. Mason: *This question should have been addressed to the Secretary,* External Affairs Department, who has agreed to answer it on the 22nd of February 1946.

CANCELLATION OF WARRANT OF ARREST AGAINST JWALA PRASAD

317. *Pandit Mukut Bihari Lal Bhargava: Will the Honourable the Home Member be pleased to state if, in view of the changed political circumstances, Government are contemplating cancellation of the warrant of arrest issued against Jwala Prasad of Ajmer? If not, why?

The Honourable Sir John Thorne: The warrant has been cancelled.

CANCELLATION OF DETENTION ORDER AGAINST MR. RAGHURAJ SINGH

318. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Home Member be pleased to state the particulars of the various charges, and the detention orders made under Rules 129 and 26 of the Defence of India Rules against Mr. Raghuraj Singh, M.A., at present confined in the Central Jail Ajmer?

(b) Are Government now contemplating to advise the Chief Commissioner, Ajmer-Merwara, to cancel the detention order against Mr. Raghuraj Singh, M.A., and also to remit his remaining term of imprisonment, in view of the changed political situation? If not, why not?

The Honourable Sir John Thorne: (a) and (b). Mr. Raghuraj Singh was undergoing a sentence of imprisonment for having escaped from jail while a security prisoner He has now been released.

REMOVAL OF RESTRICTIONS AGAINST RAJA MAHENDRA PRATAP

319. *Pandit Mukut Bihari Lal Bhargava: (a) Will the War Secretary be pleased to state if Raja Mahendra Pratap has been brought to India under arrest? If so, where and under what conditions is he being kept at present?

(b) If the reply to (a) is in the negative, do Government propose to disclose his present whereabouts?

(c) Are Government aware that Raja Mahendra Pratap has all along been an advocate of world peace, and has always worked for humanitarian and pacifist policies like the establishment of a World Federation?

(d) If Government have any information that the Aryan Army founded by Raja Mahendra Pratap was not an army to take part in the war but a body of volunteers and pacifists to work against all wars?

(e) In view of the changed political circumstances and public opinion, and particularly, in view of the Government's policy regarding the I.N.A. men, do Government propose to remove restrictions on the free and unhampered movement of Raja Mahendra Pratap in India?

Mr. P. Mason: This question should have been addressed to the Secretary, External Affairs Department, who has agreed to answer it on the 22nd of February 1946.

GRIEVANCES OF R.A.F. AND R.I.A.F. PERSONNEL

320. *Diwan Chaman Lall: Will the War Secretary please state:

(a) the number of Royal Air Force and Royal Indian Air Force personnel, which recently went on strike;

(b) the reasons for the strike; and

(c) the action taken by Government to redress their grievances?

Mr. P. Mason: (a) The R. A. F. personnel in question refused their duty for reasons connected with the R. A. F. demobilization scheme which is the concern of His Majesty's Government. No further reply therefore in respect of these personnel is proposed.

In respect of R.I.A.F. personnel, the numbers totalled approximately 5,200.

(b) and (c). Sir, I welcome the opportunity of making a statement regarding these acts of collective indiscipline which have been called strikes. To save the time of the House, I lay on the table a statement showing the localities in which these incidents took place and the numbers involved.

The reasons alleged were various, and I have included in the statement laid on the table the measures taken to remedy those in which there was any substance. I would, however emphasise the fact that there are legitimate channels for the expression of legitimate grievances and every senior officer is anxious to put them right. There was nothing in any of the minor complaints which justified the action taken by the men.

The true reason behind the men's attitude appears however to be a comparison of their pay and other conditions of service with the British Other Ranks of the R.A.F. The R.I.A.F. are already paid, fed and usually accommodated better than the Indian Army, and it is obvious that to put them on the same level as the R.A.F. would involve corresponding increases in the pay of the other two Services and would either enormously swell the Defence Budget or reduce the size of the Armed Forces which can be maintained in peace. Such an increase would also obviously have repercussions throughout the country. If it is adjudged that such a step is necessary, this would obviously be a most inappropriate time to do it and it should be left to the decision of the future Government. In the meantime, a committee has been appointed to consider the whole question of the pay of the three Services.

I would add a word of warning. The means taken by these men of bringing their wishes to notice was quite unjustifiable, and indiscipline of this nature will not be permitted to continue. If it persists, it will be necessary to take serious disciplinary action.

Statement

The actual incidents, number of personnel involved, and the dates are as follows:—

Drigh Road	700	Jan. 20 and 21
Avadi	500	Jan. 21
Mauripur	450	Jan. 23
Cawnpore	750	Jan. 26 to Jan. 30
Dum Dum	100	Jan. 29
Trichinopoly	250	Feb. 1
Kankinara	600	Feb. 2
Lahore—		
(1) 306 Maintenance Unit	350	Feb. 4 and 5
(2) No. 1 Demob Centre	150	Feb. 11 and 12
Yelahanka—		
(1) No. 4 RIAF Squadron	200	Feb. 5
(2) HQs. No. 228 Group	80	Feb. 6
Bombay—		
(1) Marine Drive Camp	1000	
(2) RIAF Records	400	Feb. 9 and 11
(3) Base Personnel Office	50	..
Delhi	400	Feb. 16

The first incident occurred at Drigh Road, Karachi on January 20th and I have already covered it in my statement to the House on the 4th Feb. 1946 in reply to Diwan Chaman Lal's adjournment motion.

Since January 20th a series of other incidents have occurred. The main complaints related to pay and allowances, demobilization, accommodation, working hours, rations, travelling facilities, canteens and hospitals. In regard to pay and allowances, Government have already announced the appointment of a Pay Committee which is now examining the question of the postwar rates of pay for all three services. As regards R.I.A.F. demobilization some 2,000 personnel were, in fact, demobilized over the period October-December 1945. It is planned to effect the demobilization of a further 5,500 by the end of April

1946 and this programme has been communicated to the men. The scale of R.I.A.F. accommodation is in some respects better than that of the other two Services. The working hours of R.I.A.F. airmen have now been reduced from 8 hours to 7 hours a day, with a break of 1½ hours for lunch. Saturday afternoons and Sundays are holidays. The R.I.A.F. draw a special scale of rations which is equated with that of the R.I.N. and is considerably better than the corresponding Army ration. Canteen services are made available for R.I.A.F. airmen wherever suitable buildings exist. Where such buildings do not exist, R.I.A.F. airmen use R.A.F. canteens. Hospitals are provided for the R.I.A.F. on the same basis as for the Army. Any considerable improvement in the scales of pay and allowances, rations, accommodation, and travelling facilities would have to be extended to all three Services, would involve very large expenditure and, therefore, requires most careful consideration.

The A.O.C.-in-C., Air Marshal Sir Roderick Carr has personally visited Karachi, Cawnpore, and Calcutta and has himself heard the grievances of the men. The present position is that, in all cases except Delhi, the men have resumed work on the assurance that their complaints are being investigated

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NATIONALITIES OF W.A.C. (I.) OVER THE RANK OF CAPTAIN

*321. ***Diwan Chaman Lall:** Will the War Secretary please state

(a) the figures, by nationalities, of the W.A.C.(I) over the rank of Captain as they stand today;

(b) the number of promotions made of Indians since October 1945;

(c) the number of A.T.S. of W.A.A.F. and W.R.N.S. who have displaced or are under orders to displace W.A.C.(I); and

(d) how long it is planned to keep the W.A.C.(I) in existence?

Mr. P. Mason: (a) The figures by nationalties of W.A.C.(I) over the rank of Captain are as follows.

	British	Indians	Anglo-Indians	Others
Senior Controller . . .	1	..	...	.
Controller	4			.
Chief Commander . .	13	1	.	
Senior Commander	75	4	8	3

(b) (i) 10 Indian officers have been promoted to higher rank since October 1945.

(ii) 7 Indian auxiliaries have been commissioned since October 1945.

(c) No personnel of the W.A.C.(I) have been or will be replaced by W.R.N.S., W.A.A.F. or A.T.S. The W.R.N.S. and W.A.A.F. have worked with the Royal Navy and Royal Air Force only in South-East Asia Command, and have never been under the control of the Government of India. As previously explained, the A.T.S. as a Service began in 1938 while the W.A.C.(I) was not formed until 1942, and therefore it was of assistance to the W.A.C.(I) to bring out a small number of A.T.S. to help in training and in filling certain specialist appointments. The total number of A.T.S. at present in India is equal to about 1 per cent. of the whole W.A.C.(I.).

(d) It has already been decided to disband the W.A.C.(I).

TERMS OF ENROLMENT OF W.A.C. (I).

322. *Diwan Chaman Lall: Will the War Secretary please state:

(a) whether all W.A.C.(I). are enrolled on similar terms irrespective of their nationality;

(b) whether British personnel is granted short leave to U.K. at Government expense;

(c) when it is planned to pay war gratuities; and

(d) the reasons for the resignation of Miss Ranga Rao and Mrs. Sriniwasan?

Mr. P. Mason: (a) All W.A.C.(I) are enrolled on the same terms, irrespective of their nationality.

(b) Officers and auxiliaries of the W.A.C.(I) of non-Asiatic domicile are eligible for the grant of 28 days short leave to U. K. at Government expense, subject to the following conditions:

(i) She has, in writing formally deferred her release for one year or more.

(ii) Leave is granted as a reward for good service in the W.A.C.(I) in overseas areas or concessional areas in India where expatriation allowance to Indian soldiers is admissible.

(iii) Preference is given to those individuals who have a minimum of two years service and also to those who have served in operational areas.

The number of vacancies available monthly for W.A.C.(I) personnel proceeding on short leave is 8 per mensem.

(c) War Gratuities admissible to W.A.C.(I) personnel under the provisions of A.I.(I) 798/45 are payable as follows:

(i) Members released during the release period (*i.e.*, on or after the 8th May 1945) are paid immediately on conclusion of release leave.

(ii) Members who became non-effective before the commencement of the normal release period are being paid as rapidly as possible.

(d) The reasons for the resignation of Miss Rangarao and Mrs. Sriniwasan have been given in reply to parts (a) and (b) of Starred Question No. 196, asked by Mr. Ayyangar, on the 12th February 1946.

Representation of Muslims in Gazetted Grades of the Central Excise Department

323. *Mr. Abdur Rahman Siddiqi: (a) Will the Honourable the Finance Member please lay a statement on the table of the House showing the representation of Muslims in the gazetted grades of Collectors, Deputy Collectors, Assistant Collectors and Superintendents, separately, in all the Collectorates of the Central Excise Department of the Government of India?

(b) Will he kindly also state whether the representation of Muslims is being observed in this department in accordance with the policy laid down in the Home Department Resolution of 1934?

(c) If the answer to (b) is in the negative, what are the reasons for this departure from the principles enunciated by Government?

Mr. B. C. A. Cook: With your permission, Sir, I will reply to parts (a), (b) and (c) together.

The Honourable Member presumably desires to have figures of appointments in order to verify that the rules relating to communal representation in the services have been properly applied These rules, I should explain, apply to direct recruitment and not to promotions. The only gazetted grade amongst those mentioned in part (a) of the Honourable Member's question, which is filled, partly at least, by direct recruitment, is the grade of Superintendent in the Collectorates of Allahabad, Calcutta and Delhi. A statement showing the representation of Muslims in this grade as well as in the grades to which the Honourable member has referred, is laid on the table. I have no reason to doubt that the policy laid down in the Home Department Resolution of 1934 is being duly followed in the Central Excise Department.

Statement showing the representation of Muslims in the gazetted grade of Superintendent in the Central Excise Collectorate of Allahabad, Calcutta and Delhi.

(As on 1-1-46)

No.	Name of Collectorate	Total*	Muslims
1	Allahabad	25	9
2	Calcutta	41	8
3	Delhi	34	13

*Half the number of vacancies in this grade are filled by promotion.

Statement showing the representation of Muslims in the various gazetted grades of the Central Excise Collectorates

(As on 1st January 1946.)

No.	Name of Collectorate	Collectors		Dy. Collectors		Asstt. Collectors		Superintendents	
		Total	Muslims	Total	Muslims	Total	Muslims	Total	Muslims
1	Calcutta .	1	*Nil*	1	*Nil*	8	*Nil*	41	8
2	Allahabad .	1	*Nil*	1	*Nil*	7	2	25	9
3	Delhi . .	1	*Nil*		...	8	1	34	13
4	Bombay . .	1	*Nil*	1	*Nil*	13	2	...	...
5	Madras . .	1	*Nil*	1	*Nil*	10	3	46*	2*

*Inspectors (who correspond to Superintendents in Northern India)

SALE OF GOLD IN INDIA ON BEHALF OF HIS MAJESTY'S GOVERNMENT AND THE U.S.A. GOVERNMENT

324. *Sjt. N. V. Gadgil: Will the Honourable the Finance Member please state:

(a) whether his attention has been drawn to a report published on p. 219 of the American magazine *Fortune*, August 1945, stating that "In twenty-two months from August, 1943, sales of gold by Britain and U.S.A. totalled about seven million ounces, or nearly 250 dollars worth figured at the U.S. price of 35 dollars per ounce";

(b) whether the above figure for the period mentioned in part (a) above is correct;

(c) if the answer to (b) is in the affirmative, the amount of gold sold in India on behalf of His Majesty's Government, and the amount on behalf of the Government of the U.S.A; and

(d) the total amount of gold so far sold on behalf of His Majesty's Government and on behalf of the Government of the U.S.A.?

The Honourable Sir Archibald Rowlands: (a) and (b) No Sir, I hav'nt the good fortune to have seen the report; but the figures quoted are substantially correct.

(c) and (d). Subject to adjustments, some of which may be substantial, the amounts of gold sold during the period from the 8th August 1943 to the 17th August 1945, on behalf of the Government of the United Kingdom and that of the U.S.A. were 4,507,652 and 2,955,993 ounces the total being 7,463,645 ounces.

PROFITS EARNED BY THE BRITISH AND SOUTH AFRICAN GOVERNMENT ON SALE OF GOLD IN INDIA

325. *Sjt. N. V. Gadgil: Will the Honourable the Finance Member please state:

(a) whether his attention has been drawn to a Reuter's message, from Cape Town dated February 1st, 1946, published in the *Times of India*, dated February 2nd, 1946, wherein it is stated as follows:—"The South African Minister of Finance, Mr. J. H. Hofmeyr, told the Assembly at question time today that the Union Treasury had benefited by £1,072,182 by sharing with the British Government profits made on sale of gold in India The total amount obtained from gold realisation charges from June 1940 to September 1945 was £11,999,847 where of £10,016,400 have gone to the State and the balance to the gold mines";

(b) if the profit earned by the Union Treasury is of the order of £1,072,182, what has been the profit earned by the British Government on the sale of gold in India;

(c) whether it is a fact, as stated in the message quoted above, that the value of total sales from June, 1940, to September, 1945, was £11,999,847; and

(d) the average price at which this gold was sold in the Indian market?

The Honourable Sir Archibald Rowlands: (a) Yes.

(b) and (c). The Government of India have no information.

(d) No South African gold as such was sold in India. Sales on behalf of H.M.G. and U.S.A. were made at the prevailing market price.

METHOD OF PAYMENT BY THE RESERVE BANK FOR THE GOLD SOLD BY HIS MAJESTY'S GOVERNMENT

326. *Sjt. N. V. Gadgil: Will the Honourable the Finance Member please state:

(a) whether His Majesty's Government was paid in sterling by the Reserve Bank of India which handled the sales of gold referred to in the preceding question on behalf of His Majesty's Government;

(b) whether this gold was sold by His Majesty's Government in order to procure finance for their use in India, and whether such rupee finance was disbursed by His Majesty's Government in procuring supplies and obtaining services in this country;

(c) if the answer to (a) is in the negative, whether a different method of payment by the Reserve Bank of India for the gold sold by His Majesty's Government was effected; and

(d) if the answer to the above is in the affirmative, how the price of gold was actually paid, whether in dollars or other hard currency?

The Honourable Sir Archibald Rowlands: (a), (c) and (d). The rupee proceeds of the gold sales accrued to His Majesty's Government and were utilised by them towards meeting their war expenditure in India.

(b) Yes.

PAYMENT OF FAMILY ALLOTMENTS IN RESPECT OF MISSING INDIAN ARMY PERSONNEL

327. *Diwan Chaman Lall: (a) Will the War Secretary please state whether it is a fact that in the case of Indian Army personnel, who have been reported missing but whose deaths have not yet been confirmed, payments of family allotments in respect of them were stopped after the expiry of a certain period, and the only payments to their families have been the pensions that are awardable on confirmation of deaths?

(b) Is it a fact that in the case of British Army personnel, the policy of His Majesty's Government is to continue the payment of family allotments?

(c) What is the justification for (i) the discontinuation of family allotment, and (ii) the payment of death pensions without the confirmation of the death in case of soldiers who had staked their lives for the Government?

(d) Will he please also state the position in respect of the British Services personnel serving with the Indian Army in such cases?

Mr. P. Mason: (a) and (c). According to the normal rules, a missing man's family is paid family allotment for a period of seven months after intimation has been received that the man is missing. This is followed by a special family allowance for two months. Thereafter the family is given a pension.

These rules assume that enemy powers will, in compliance with the Prisoners of War Convention, furnish promptly names of prisoners of war taken by them. Accordingly if any one is not notified as a prisoner of war within 9 months the presumption of death would normally be justifiable.

Owing to the failure of the Japanese Government to furnish names of case of Indian personnel missing in the Far East. Family allotments were prisoners of war, the Government of India suspended the normal rules in the

continued to families of such personnel for periods beyond those authorised by the rules. These periods were extended from time to time and under existing orders family allotments will continue to be paid to such families up to and for the 31st May 1946. By that date the Government of India hope that the fate of those still unaccounted for will be definitely known.

(b) and (d). The reply to (b) is the negative. According to the normal rules a missing British soldier's family is paid family allowance of family allotment for twenty two weeks. This period was extended, however, in the case of British soldiers missing in the Far East for the same reason which justified the continuance of family allotment in the case of Indian soldiers. This family allowance was withdrawn, with effect from the 1st August 1945, in the case of soldiers missing from the 1st November 1942, and with effect from the 1st February 1946, in the case of soldiers missing after the 31st October 1944. This applies also to British service personnel seconded to the Indian Army.

SCALES OF PENSIONS TO FAMILIES OF INDIAN OTHER RANKS

828. *Diwan Chaman Lall: Will the War Secretary please lay on the table of the House a detailed statement about the scale of pensions admissible to the families of the Indian Other Ranks of the Indian Army in case of their death occurring while on field service?

Mr. P. Mason: I lay a statement on the table of the House.

Statement

Current rates of I. O. R.'s family pension, children allowance and death gratuity are as follows :

(i) Family pension—Rs. 16 p. m

(ii) Children allowance Rs 4 p. m per child. Payable to ALL family pensioners whether death occurred before or after 3 September 1939

(iii) Death gratuity (in one lump sum

(a) If death is due to enemy action ..	Rs. 100
(b) If death is due to a disease or accident while serving overseas, or in a hospital in India on return from overseas as an invalid.	Rs. 50
(c) If death occurs in circumstances other than those in (a) and (b) above	*Nil*

The scales of family pension and children allowance are the same whether an individual's death occurs in a field or peace area.

INCOME-TAX FROM 'HINDU UNDIVIDED FAMILY' ASSESSEES

329. *Pundit Thakur Das Bhargava: Will the Honourable the Finance Member kindly state:

(a) the amount of income-tax realised from the class 'Hindu Undivided family' giving figures for each Province, separately;

(b) the number of 'Hindu undivided family' assessees giving figures for each Province, separately;

(c) what number of persons constitute such Hindu undivided family Assessees on a rough average;

(d) what difference in the amount of tax, will result if the persons constituting Hindu Undivided family were assessed as individuals; and

(e) the compensatory advantages if any, to the member of the Hindu undivided families for their being taxed as such members instead of as individuals?

Mr. B. C. A. Cook: (a) and (b): I lay on the Table a statement giving the information required.

(c) Government have no information.

(d) It is not possible to give any figure. It would depend on the composition of the various Hindu Undivided Families and the share of the individuals in the income of the Hindu Undivided Family and the separate income if any that the members may have—

(e) Any sum received by an assessee as a member of a Hindu Undivided Family where such sum has been paid out of the income of the family is exempt from tax and is not taken into account in computing the total income of the assessee member.

Statement showing number of Hindu Undivided Family assessees and amount of income-tax realised in 1944-45

Province	Amount of Income-tax realised from the class 'Hindu Undivided Family' in the year 1944-45	Number of 'Hindu Undivided Family' assessees in the year 1944-45
	Rs.	
Madras	98,34,708	12,791
Bombay	91,77,239	11,794
Bengal	40,65,672	4,736
U. P.	94,72,123	12,593
Punjab	89,19,155	12,833
C. P. & Berar	48,11,316	5,114
Bihar	53,31,797	7,562
Orissa	8,42,648	1,199
Assam	10,27,165	1,121
N.-W. F. P.	8,62,647	1,153
Delhi	18,38,574	1,417
Baluchistan	4,99,215	699
Sind	9,77,608	2,089
Coorg	5,360	17
Bangalore	75,899	54
All India	5,77,41,126	75,172

DISRUPTION OF HINDU UNDIVIDED FAMILIES DUE TO INCOME-TAX ACT

330. ***Pandit Thakur Das Bhargava:** (a) Will the Honourable the Finance Member please state if it is a fact that partition in, and disruptions of the Hindu undivided families are caused and accelerated as a result of the provisions of the Income-Tax Act and the classification of Hindu undivided family as a unit of assessment?

(b) In how many cases, during the last ten years, the members of the Hindu undivided families claimed disruption and partition before the Income-Tax officers and the plea was disputed, allowed or disallowed?

Mr. B. C. A. Cook: (a) and (b). I am afraid I have no information.

HINDU UNDIVIDED FAMILY ASSESSEES TO SUPER-TAX AND EXCESS PROFITS TAX

331. ***Pundit Thakur Das Bhargava:** Will the Honourable the Finance Member kindly state:

(a) the number of Hindu undivided family Assessees assessed to Super Tax during the last six years;

(b) the number of Hindu Undivided family Assessees assessed to both Super Tax and Excess Profits Tax during the last six years; and

(c) the number of Hindu Undivided Assessees assessed to income-tax below the income of Two, Four, Six, Eight and Ten thousand rupees, separately, during the last three years?

Mr. B. C. A. Cook: (a) and (c). I lay on the Table a statement giving the information required. Of the five categories of incomes mentioned in part (c) information in respect of incomes below rupees Four, Six and Eight thousand is not available from our statistics which adopt slightly different grades of income. Information in respect of incomes below Rs 3,500, Rs. 5,000 and Rs. 7,500 has therefore been given in the statement.

(b) The information asked for is not available and cannot be compiled without an expenditure of time and labour which will not be commensurate with the result likely to be achieved.

Statement

(a) Number of Hindu undivided family assessees assessed to super-tax :—

Assessment year	Number
1939-40	851
1940-41	1,374
1941-42	1,820
1942-43	2,349
1943-44	4,321
1944-45	4,705

(c) Number of Hindu undivided family assessees assessed to income-tax below the incomes of :—

Assessment Year	Rs. 2,000	Rs. 3,500	Rs. 5,000	Rs. 7,500	Rs. 10,000
1942-43	12,113	34,573	44,960	53,494	57,813
1943-44	17,881	40,555	52,848	63,747	69,830
1944-45	3,155	26,466	38,861	51,004	57,710

INCREASE OF EUROPEAN SECRETARIES AND UNDER SECRETARIES IN GOVERNMENT OF INDIA DEPARTMENTS

532. *Shri Mohan Lal Saksena: Will the Honourable the Home Member be pleased to state the number of European Secretaries and Under-Secretaries in the various Departments of the Government of India and what has been the increase in their number since April, 1939?

The Honourable Sir John Thorne: Of the 17 Secretaryships now in existence 13 are held by British Officers. Two of the 13 are on deputation out of India and Indian officers are acting for them.

In April 1939 5 out of 8 Secretaryships were held by British officers.

As regards Under Secretaries 11 out of 48 are British at the present time. Early in 1939, of the 20 I.C.S. officers holding Under Secretaryships 13 were British and 7 Indians.

ACTION *re* RELEASE OF DETENUS SINCE PASSING OF ADJOURNMENT MOTION

333. *Shri Mohan Lal Saksena: Will the Honourable the Home Member be pleased to state what action, if any, has been taken regarding the release of detenus since the passing of the Adjournment Motion on the subject by the Assembly on the 23rd January, 1946.

The Honourable Sir John Thorne: Mr. Krishna Nair has since been released. The question of the release of the remaining three persons detained under orders of the Central Government is still under consideration.

ACTION ON ADJOURNMENT MOTION PASSED RE RECRUITMENT OF EUROPEANS TO INDIAN CIVIL AND POLICE SERVICES

334. *Shri Mohan Lal Saksena: (a) Will the Honourable the Home Member be pleased to state what action, if any, has been taken on the adjournment motion passed by the Assembly on the 31st January, 1946 regarding the recruitment of Europeans to the I.C.S. and I.P.S ?

(b) Will he also state the total number of vacancies, so far, reserved for 'War Service' candidates, as well as the number of persons so recruited?

The Honourable Sir John Thorne: (a) and (b) The attention of the Honourable Member is invited to the answers given on the 12th February 1946, to Mr. Manu Subedar's short notice question, and to Sardar Mangal Singh's question No. 224(b), on the above subject.

ACCUMULATION OF ADDITIONAL STERLING SECURITIES

335. *Prof. N. G. Ranga: Will the Honourable the Finance Member be pleased to state:

(a) what has been the accumulation of additional sterling securities obtained in return for India's sales of commodities and services to the British Government since the end of War,

(b) the most important commodities and services which are being supplied by India to the British Government;

(c) whether Government's attention has been drawn to the protest made by a number of Indian economists published in the *Hindustan Times* of the 4th February against these sales and accumulation of sterling securities, and

(d) when Government propose to stop these sales against sterling securities and the issue of further rupee currency?

The Honourable Sir Archibald Rowlands: (a) The total increase in the sterling holdings of the Reserve Bank from the 17th August 1945, to the 1st February 1946, was Rs 188½ crores. This sum does not, however, necessarily represent the value of goods and services rendered to His Majesty's Government since V J Day. A rough estimate of the amount of recoverable war expenditure since that day is Rs 143 crores, of which over one third represents the emoluments of troops.

(b) Apart from the services of troops, mainly various stores required for the maintenance of the armed forces.

(c) I have seen the manifesto referred to

(d) As stated in my answer to Mr Manu Subedar's starred question No. 74, on the 7th February, 1946, the expenditure incurred in India on behalf of His Majesty's Government is being greatly curtailed. The question of the method of financing further expenditure recoverable from H M G is under consideration

CALCULATION ON AVERAGE EXPENDITURE

336 *Shri Sri Prakasa: Will the Honourable the Finance Member be pleased to state if any calculation has been made regarding the average expenditure on the answer of a question in the Legislative Assembly?

The Honourable Sir Archibald Rowlands: I cannot do better than refer my Honourable friend to the answer given by one of my predecessors to a somewhat similar question put in 1936. The answer reads as follows:

"I have seen various estimates ranging from Rs 75 to Rs 200 but none of these was an official calculation and I do not think that it is worth while trying to make an official estimate. I am, however, clear that it would conduce to economy as well as to comfort if Honourable Members could find it possible to restrict their curiosity to matters of real public interest."

As regards this particular question, I found the answer by working overtime. The only expenditure involved, therefore, was the cost of the paper and the wear and tear on the typewriter.

NAMES OF I.N.A. MEN HANGED

337. *Prof. N. G. Ranga: With reference to the reply to part (c) of starre question No. 41, dated the 7th February, 1946 will the War Secretary be pleas to state:

(a) the names of the nine I.N.A men who were hanged;

(b) their history;

(c) the charges against them;

(d) the convictions and judgment given by the Court Martial;

(e) what was done to their bodies;

(f) whether they were provided with any facilities for defence; if so, wha and

(g) whether their relatives were informed about the trials, and whether th were given opportunities to interview them before they were hanged?

Mr. P. Mason: (a), (c), (d) and (f). I lay a statement on the table.

(b) *Sepoys Chattar Singh and Nazir Singh* when fighting for the enem were members of a party which was responsible for capturing five of our soldie and handing them over to the Japanese. Both were later captured whi bearing arms against us.

Hav Durga Mal was captured when bearing arms against our forces.

Sepoy I.N Hazara Singh when captured was carrying subversive Japane literature and even after capture continued to try to suborn our troops.

Ritter Sardar Singh took part in an enemy raid on one of our camps a later infiltrated to our lines with subversive intent where he was arrested aft suspicion had been aroused as to his identity.

Jem Keshri Chand Sharma and Jem Bahadur Thapar were capture when leading an armed patrol against our forces.

Naik Nagindar Singh deserted while his battalion was fighting a rear-guar action and rejoined the battalion later only to desert a second time, taking tw others with him to the Japanese. Was finally arrested when attempting t infiltrate with a large sum of Japanese-made Indian currency Was given th benefit of the doubt on the charge of waging war.

L/N. Charan Singh deserted to the enemy while his battalion was fightin a rear-guard action. Concealed his identity when arrested later during a attempt to infiltrate to our lines.

(e) The normal procedure is that the body of a judicially executed perso is disposed of by the authorities of the jail where the execution takes plac according to the religious rights of the executed person If however, the relative of an executed person wish to remove the body for disposal, permission to d so is normally granted There is no reason to believe that any other procedu was followed in these cases.

(g) As regards the first part, the accused, while under trial, were allowe to write to their relatives As regards the second part, the relatives wer permitted to visit them before the execution, if they so desired. It is not know how many of them took this opportunity.

Statement

Serial No.	No., Rank Name and Unit of accused, and Act to which subject	Form of Tribunal, Place and dates of trial	Charges on which arraigned	Charges on which convicted.	Sentence as confirmed	Defending Officer	Place and date of execution
1	18662 Sepoy Chattar Singh, 5/8 Punjab Regt. (Subject to thu IAA).	Summary General Court Martial Delhi 14-6-44.	Waging war against the King.	Waging war against the King.	Death by being hanged.	Lt. L. C. Green SEA TIC (Solicitor).	Delhi. 29-7-44.
2	9896 Sepoy Nazir Singh, 8 Burma Rifles (Subject to the BAA).	Summary General Court Martial Delhi. 15-6-44.	Do	Do.	Do.	Do	Do.
3	6775 Hav. Durga Mal, 2 1 Gurkha Rifles (Subject to the IAA).	Summary General Court Martial Delhi. 5-7-44.	Do.	Do.	Do.	Capt. E. W. Seir RIASC (Solicitor).	Delhi. 25-8-44.
4	10648 Sepoy (P/L Nk) Hazara Singh, 5/2 Punjab Regt. (Subject to the IAA).	Summary General Court Martial Delhi. 25-8.44.	Do.	Do.	Do.	Lt. S. A. Hosain, R.I.A.S.C., "B" M.T. Trg. Group.	Delhi. 25-10-44.
5	MT 503961 Fitter (Class II) Sardar Singh IAOC, att. 4 7 Gurkha Rifles (Subject to the IAA).	Summary General Court Martial Calcutta. 6-10-44.	Waging war against the King. (2counts).	Waging war against the King. (2 counts).	Do.	Capt M. S. Haqqani IAOC 226 I. A. O. D. Pleader with right of audience in Sessions Court.	Calcutta. 23-3-45.

Serial No.	No., Rank, Name and Unit of accused, and Act to which subject	Form of Tribunal Place and dates of trial.	Charges on which arraigned	Charges on which convicted	Sentence as confirmed	Defending Officer	Place and date of execution
6	28896 I. C. Jem. Keshri Chand Sharma, RIASC (Subject to the IAA).	General Court Martial Delhi 12 & 13-12-44	Waging war against the King.	Waging war against the King.	Death by being hanged.	Capt. H. B. C. Horrell, Bar-at-Law.	Delhi. 3-5-45.
7	6120 Jem. Dalbahadur Thapa, 2/1st Gurkha Rifles (Subject to the IAA).	General Court Martial Delhi. 12-2-45.	Do.	Do.	Do.	Lt. Idris Ahmad, I.A.O.C., Pleader.	Do.
8	8771 Naik Nagindar Singh, 8th (F. F.) Bn., Burma Rifles, att. Details Indian Military Prison. (Subject to the BAA).	Summary General Court Martial Multan. 3-7-43.	1. Desertion. 2. Desertion. 3. Waging war against the King.	1. Desertion 2. Desertion.	Do.	Major P. H. M. Galbraith, 1st Burma Regt.	Multan. 28-8-43.
9	10376 L/Nk. Charan Singh, 8 Burma Rifles (Subject to the BAA).	Summary General Court Martial Multan. 6-7-43.	1. Desertion. 2. Waging war against the King.	1. Desertion. 2. Wagiag war against the King.	Do.	Do.	Do.

AMNESTY TO CIVILIAN I. N. A. MEN

338. *Prof. N. G. Ranga: With reference to the answer of the War Secretary to question No. 42, dated the 7th February, 1946, will the Honourable the Home Member be pleased to state:

(a) whether the civilians who had joined the I.N.A. were treated in the same way as the Burmans to whom general amnesty was extended; if not, why not; and

(b) whether Government propose to extend amnesty to all the civilians who had joined the I.N.A., in view of the end of the war and the public opinion in India?

The Honourable Sir John Thorne: (a) and (b). As the War Secretary pointed out, the Burmans joined the Allies and fought against the Japanese in the closing stage of the campaign.

It is however unlikely that any civilian *ex*-member of the I.N.A. will be prosecuted in India as so far none is known to have been guilty of atrocities.

UNSTARRED QUESTIONS AND ANSWERS

RESTRICTIONS ON CAPITAL ISSUES

36. Shri Mohan Lal Saksena: (a) Will the Honourable the Finance Member be pleased to lay on the table a statement giving information regarding existing restrictions on the capital issues?

(b) How long are these restrictions to remain in force?

The Honourable Sir Archibald Rowlands: (a) The restrictions are embodied in Defence of India Rule 94A read with the Exemption Order, dated 5th December, 1945. Both of these being statutory orders have been published in the *Gazette of India* and are therefore available in the Library of the House.

(b) The matter is under consideration.

PUBLICATIONS BANNED UNDER SEA CUSTOMS ACT

37. Shri Mohan Lal Saksena: Will the Honourable the Home Member be pleased to lay on the table a statement giving the names of the books and other publications which still remain banned under Section 19 of the Sea Customs Act?

The Honourable Sir John Thorne: I am having the information collected and will furnish it to the Honourable Member when it is complete.

STATEMENTS LAID ON THE TABLE

Information promised in reply to starred question No. 523, asked by Prof. N. G. Ranga, on the 28th February, 1945

LOWER PRICES OF PADDY AND RICE IN MADRAS PRESIDENCY

(a) The policy of Government is to see that all the parties concerned, namely producers, consumers, millers and traders get a fair deal.

(b) No Sir.

(c) The difference between the village site price of paddy and the *ex mill* price of corresponding quantity of rice comes to about Rs. 2 per bag of two maunds of rice second sort and has been fixed with due regard to the fair out-turn of rice obtained by milling tests and allowing for transport charges, milling charges, cost of gunny, bagging, packing, etc., brokerage and loading and sales tax.

(d) As the cultivator is assured of a market for his produce at a fair price, the fixation of a minimum price is not considered necessary. As regards fixation of the ceiling price of paddy are Rs. 12, the ceiling price already fixed by the Collector for 2nd sort paddy in Kistna district for local consumption is Rs. 11-12-8 per bag of 166 lbs. at the market centre and is for the whole year. Prices were fixed only recently with due regard to increase in the cost of cultivation and other relevant factors, and no further increase is contemplated at present. The option do deliver rice or paddy is given to the ryot, subject to the discretion of the Grain Purchase Officer, as it was observed that unrestricted option retarded procurement considerably.

Information promised in reply to starred question No. 1064, asked by Prof. N. G. Ranga, on the 16th March, 1945.

LIMITED NUMBER OF PURCHASE LICENCES FOR GROUNDNUTS, ETC., ISSUED IN MADRAS

(a) No. No license is required for the purchase of groundnuts, oil and jaggery. Dealers in oil cakes have to take out licenses from the Director of Agriculture, Madras, under the Madras Manure Dealers Licensing Order, 1943. A large number of such licenses have been granted to manure dealers in various districts

(b) and (c). Prices of groundnuts and oil have not been fixed for oil cakes ceiling prices have been fixed with reference to the ruling prices of groundnuts and oil in consultation with the trade Ceiling prices for jaggery exported outside the province are also fixed according to seasonal conditions and are based on the current cost of production, handling charges, etc.

Information promised in reply to starred question No 1243, asked by Mr. Ananga Mohan Dam, on 21st March 1945.

APPOINTMENT OF CERTAIN NON-TRAINED M As IN DELHI HIGHER SECONDARY SCHOOLS.

(a) No.

(b Yes. 25 untrained M.As have been employed in the Higher Secondary Schools. Of these, twelve possess the requisite qualifications prescribed by the Board and are employed in the following schools :

(1) M. B. Higher Secondary School, New Delhi	2
(2) Indraprastha Girls Higher Secondary School, Delhi	1
(3) Ramjas Higher Secondary School, No. 2, New Delhi	1
(4) Union Academy, New Delhi	1
(5) Birla Higher Secondary School, Delhi	1
(6) Ramjas Higher Secondary School, No. 3, Delhi	1
(7) Anglo-Arabic Girls Higher Secondary School, Delhi	1
(8) D. A. V. Higher Secondary School, Delhi	2
(9) Commercial Higher Secondary School, Delhi	1
(10) Ramjas Higher Secondary School, No. 1, Delhi	1
	12

Four who were old teachers have been granted exemptions, and nine are unqualified but are employed temporarily in the following institutions till qualified teachers become available

(1) Indraprastha Hindu Girls Higher Secondary School, Delhi	1
(2) Lady Irwin Higher Secondary School, Simla	1
(3) St. Thomas Higher Secondary School, New Delhi	2
(4) Anglo-Arabic Higher Secondary School, Daryaganj, Delhi	1
(5) Arya Girls Higher Secondary School, New Delhi	1
(6) V. S. Jat Higher Secondary School, Kheragarhi, Delhi	1
(7) Commercial Higher Secondary School, Delhi	2
	9

Information promised in reply to starred question No. 1373, asked by Sri K. B. Jinaraja Hegde, on the 27th March, 1945

BETEL-NUT PALM CULTIVATION IN CERTAIN DISTRICTS

	(a) Area under betelnut palm	(b) Estimated annual yield	(c) Revenue collected in 1944-45
	Acres	Lbs. (in 000s)	Rs. (in 000s)
Madras Districts			
(i) S. Kanara	12,038	24,796	17,07
(ii) Malabar	61,535	23,744	14,37
(iii) Coimbatore	1,600	1,120	1,39
(iv) Nilgiris	22	12	0·5
Bombay Districts			
(i) N. Kanara	16,900	13,759	15,92
(ii) Ratnagiri	1,970	799	74
Bengal Districts			
(i) Noakhali	32,400	27,698	9,00
(ii) Chittagong	350	582	6
(iii) Bakhkharganj	1,53,790	60,955	46,60
(iv) Khulna	7,590	6,310	5,36
(v) Jessore	68	95	3
(vi) Midnapur	(Non-growing area)		
Assam			
Sylhet	1,570	2,462	1,39
Coorg Province	240	232	1

(d) and (e) Attention is invited to the reply to part (a) of question No. 885

Information promised in reply to starred questions Nos. 1470 (a) and 1471 (a) to (d), asked by Shrimati K. Radhabai Subbarayan, on the 29th March, 1945.

LIQUOR SHOPS IN VICINITY OF RAILWAY COAL MINES

No. 1470.—(a) The liquor shops in the vicinity of Railway Coal Mines are open throughout the year from 12 noon to 5 P.M. on Fridays, Saturdays and Sundays and from 12 noon to 8 P.M. on the remaining days.

PRIMARY SCHOOLS FOR RAILWAY COAL MINERS CHILDREN

No. 1471.—(a) There are 4 primary schools for children of miners working in Railway-owned Coal Mines, i.e., in Hazaribagh Bakaro Coal fields. Their names and number of pupils are noted below:

Serial No.	Name of School	Number of pupils		Total
		Boys	Girls	
1	Dhori U. P. School	115	10	125
2	Bermo Hindi L. P. School	85	7	92
3	Bermo Urdu L. P. School	45	4	49
	Kargali L. P. School	40	20	60
		285	41	326

(b) In 1939 there was only one School, namely Kargali, L.P. School with 39 pupils. Thus there is an increase of 3 schools and 287 pupils.

(c) All the four schools are co-educational There is no woman teacher in any of these *schools.*

(d) Mid-day meal is not provided in these schools The Hazaribagh Mines Board which manages these schools has not made any provision for this purpose.

Information promised in reply to parts (b), (c) and (d) of question No. 1479, asked by Mr. A. Satyanarayana Moorty, on the 29th March, 1945.

RICE ROTTING IN GOVERNMENT GODOWN IN MANIKGANJ.

(b) and (c) The total quantity which deteriorated and become unfit for human consumption at Manikganj was 6,000 maunds It was received in poor condition during the latter half of 1943 and the early part of 1944 and formed part of an emergency shipment. No particular official was responsible for this deterioration

(d) Deterioration of foodgrains was mainly due to lack of proper storage accommodation. This is being rectified by the construction of new storage of approved scientific design and storage capacity for 348,000 tons has already been completed. This combined with better technical staff now completing training, new system of accounting now being put into force, and a highly qualified Directorate of Inspection, which is already working, is expected to minimise deterioration of foodgrains in future.

Information promised in reply to starred question No. 1591, asked by Mr. T. S. Avinashilingam Chettiar, on the 4th April, 1945

PUBLIC UTILITY CONCERNS HELD BY NON-INDIAN INTERESTS

(a) 56 public utilities concerns are held by British and other non-Indian interests.

(b) Yes, in respect of six concerns Besides a tentative decision to acquire one has been reached and cases of two are under consideration

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MOTIONS FOR ADJOURNMENT

FAILURE TO REPATRIATE INDIAN PRISONERS UNDERGOING TRIAL IN MALAYA

Mr. President: I have received notice of a motion of adjournment from Mr. Sasanka Sekhar Sanyal, who wants to discuss the policy of Government in refusing to have repatriated into India for trial Indian prisoners in Malaya. From the answers given to certain supplementary questions the other day by the Secretary to the Commonwealth Relations Department, I understood that these prisoners are prisoners of a foreign Government and are being tried in a foreign land for offences committed against foreign laws. If that is so, under what law can they be repatriated into British India for trial? As to facts, we must know whether the Malayan Government is really a foreign Government or whether it is a subsidiary part of the Government of India.

12 NOON

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Sir, I should like in the first place to invite your attention to the answer itself

Mr. President: I can see that the wording of the answer is somewhat loose; but irrespective of that answer, I should like to know from Government whether the Malayan Government is a subordinate Government of the Government of India or is an independent Government It may be a military or other administration, but is it subordinate to the Government of India?

Mr. R. N. Banerjee (Secretary, Commonwealth Department): Sir, it is quite independent of the Government of India, just like the Government of Ceylon or the Government of Burma, and there is no sort of subordination of the Malayan Government to the Government of India

Mr. Sasanka Sekhar Sanyal: Sir, so far as that matter is concerned in the first place the British military administration in Malaya is part of the South East Asia Command, and the Government of India are represented there as will appear from the answer itself. In the second place, so far as the legal position is concerned, apart from the question of exchange of prisoners on the grounds of diplomatic necessity, there are clear provisions in the Criminal

Procedure Code and in the Indian Penal Code which provide that an Indian subject wherever he may have committed an offence is subject to the legal administration of this country. In replying to my question the other day, the Secretary to the Department did not say that there was any legal difficulty or impossibility, but he made it clear that it was not the policy of this Government to ask for repatriation. Section 4 of the Indian Penal Code and section 188 of the Criminal Procedure Code make it clear that an Indian wherever he is, is subject to the statutory provisions of this country. Therefore the position is clear and an Indian who is a prisoner in Malaya could be tried by them at Malaya and in India. So the question that I want to raise today on the basis of the answer given the other day by the Secretary to the Commonwealth Relations Department is as to the steps taken by this Government, if at all, with regard to the repatriation of these prisoners here for trial. The answer of Government was not that there was any legal difficulty or disability but that it was not their policy to ask for repatriation; and that is just what I want to discuss. If they had said that they had tried and failed because of some legal difficulty, the position would be different; but they say that they have not tried because it is not their policy. So I seek to raise this issue on the ground of policy only

Mr. President: Looking to the answer as a whole and without taking any portion of the answer out of the context, it appears to me to make no difference whether the word used was 'policy' or their legal ability or inability. The proposition of law which the Honourable Member is trying to make out is, to my mind, too wide Supposing an Indian commits a murder in Paris and the French Government prosecute him for it, will he be triable in India by the British Indian courts? If the trial is taking place in France, will it be competent to the Government of India—apart from the question of propriety or policy—to insist on the repatriation of that person to be tried here for the murder committed in France?

Mr. Sasanka Sekhar Sanyal: The position is clear that, so far as the law is concerned, he is triable here; but whether Government will ask for the trial here is a matter for Government to decide

Mr. President: To me the matter is clear I am unable to agree with the legal proposition of the Honourable Member and the Motion is not in order.

BURNING OF PLACES OF WORSHIP AND INSULTING OF WOMEN DURING RECENT CALCUTTA DISTURBANCES

Mr. President: The next motion of adjournment stands in the name of Mr Anthony who wants to discuss the failure of Government to take timely and sufficiently stern measures to protect the public in the recent Calcutta disturbances, with the result that women were insulted and places of worship burned

There is hardly anything that can be said in favour of this motion on the point of admissibility

Mr. Frank R. Anthony (Nominated Non-Official): Sir, this *goondaism* which has resulted in women being insulted and places of worship burnt has produced a feeling of bitterness throughout India and not in Calcutta only. This is not the first time it has happened, it is the second occasion in a few weeks. And I do not think that the old position is tenable that this is a matter which falls solely within the purview of the responsibility of the provincial Government, in view of the Defence of India Rules and also in view of the emergency provisions of section 126-A of the Government of India Act which runs thus:

"Where a proclamation of emergency is in operation whereby the Governor General has declared that the security of India is threatened by war—

(a) the Executive Authority of the Federation shall extend to the giving of directions to a province as to the manner in which the executive authority thereof is to be exercised, etc. . . . ."

[Mr. Frank R. Anthony]

And I say that it is very much the responsibility of the Central Government in view of the fact that this sort of thing has happened before. The Bengal Government have pleaded that the *goondas* have apparantly got the upper hand. They should have taken the sternest measures at the earliest opportunity. I think no political party will for a moment plead that this *goondaism* is part of their political programme or philosophy. I know the military were called out. If necessary instead of 53 there should have been 553 casualties, in order to wipe out the *goonda* element.

Mr. President: I am afraid I am unable to hold the Government of India responsible for this. It is a wide extension but in each case, as I said, the matter will have to be looked into on the merits of the case. I do not propose to give my consent to this motion.

ELECTION OF MEMBERS TO IMPERIAL COUNCIL FOR AGRICULTURAL RESEARCH AND ITS GOVERNING BODY

Mr. President: I have to inform the Assembly that upto 12 noon on Monday, the 11th February, 1946, the time fixed for receiving nominations for the Imperial Council of Agricultural Research and its Governing Body, three nominations were received. Subsequently one member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare Sri V. Gangaraju and Mr. Muhammad Nauman to be duly elected.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR INFORMATION AND BROADCASTING DEPARTMENT

Mr. President: I have also to inform the Assembly that upto 12 noon on Monday, the 11th February, 1946, the time fixed for receiving nominations for the Standing Committee for the Department of Information and Broadcasting, twelve nominations were received. Subsequently two members withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected to the Committee for the unexpired portion of the current financial year, 1945-46 and the financial year 1946-47 (1) Mr. C. P. Lawson, (2) Mr. N. Narayanamurthi, (3) Pandit Sri Krishna Dutt Paliwal, (4) Khan Abdul Ghani Khan, (5) Mr. M. R. Masani, (6) Mr. Ramayan Prasad, (7) Chaudhry Sri Chand, (8) Nawab Siddique Ali Khan, (9) Syed Ghulam Bhik Nairang and (10) Khan Bahadur Raja Mohammad Amir Ahmad.

ROAD-RAIL CO-ORDINATION SCHEME

PRESENTATION OF THE REPORT OF THE COMMITTEE

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I present the report of the Committee to examine the progress made in carrying out the principles of the Road-Rail Co-ordination Scheme.

REPORT OF THE COMMITTEE OF THE LEGISLATIVE ASSEMBLY APPOINTED TO EXAMINE THE PROGRESS MADE IN CARRYING OUT THE PRINCIPLES OF THE ROAD-RAIL CO-ORDINATION SCHEME

Preliminary—(1) The Committee was appointed in pursuance of a Resolution adopted by the Legislative Assembly on the 29th January, 1946 on the motion of the Hon'ble Member for War Transport and Railways as follows:—

> "That this House do proceed to elect, in such manner as the Hon'ble the President may direct, seven members to serve on a Committee to examine the progress made in carrying out the principles of the Road-Rail Co-ordination Scheme approved by this House on April, 12, 1945, and to report to the House *within* 14 *days*."

(2) The Hon'ble the President appointed February the 1st for receipt of nominations to the Committee and February the 4th for the election, if necessary. There being only

seven nominations the Hon'ble the President announced on February the 1st that the Committee had been constituted as follows :—

The Hon'ble Sir Edward Benthall.
Mr. Bhagirathi Mahapatra.
Shri Mohan Lal Saksena.
Sawab Siddique Ali Khan.
Mr. H. G. Stokes
Mr. P. B. Gole.
Sir Mohd. Yamin Khan.

(3) The Committee was therefore required to report on or before the 15th of February, but on the 14th of February received the permission of the House to report by the 18th Meetings were held on the 5th, 7th, 8th, 12th, 13th and 14th of February.

2 The Committee is agreed that the White Paper issued by Government and laid on the table of the House on January 21st, 1946 fairly covers the agreement reached in the Assembly on April 12th, 1945, respecting the principles of road-rail co-ordination by the formation of joint (road-rail) or tripartite (road-rail-Provincial Government) companies

3 The majority of the Committee feel that in most of the Provinces there has neither been consultations nor negotiations in pursuance of the aforesaid agreement

4 The majority of the Committee, therefore, recommend that in view of the impending changes in the Provincial Governments it is inadvisable for railways to make any investment for the present and the railway participation in the scheme therefore be postponed

5 The majority of the Committee are further of the opinion that Ordinance XXXI of 1945 should be amended so as to restore the provisions of the Motor Vehicles Act, 1939 in relation to ordinary permits for stage and contract carriages, and public and private carriers, but that certain emergency provisions may remain, in so far as they are necessary in respect of emergent control of transport for special purposes such as the transport of food

It is also of the opinion that any notification issued under the Ordinance for cancellation of such permits should be made inoperative* and the permits already cancelled under the Ordinance should be restored

6 During the discussions of the Committee it transpired that certain commitments had already been made in C. P. in companies with Managing Agents The majority of the Committee are of the opinion that this was in contravention of the aforesaid agreement and is irregular

E C BENTHALL*
MOHAN LAL SAKSENA
MOHAMMAD YAMIN KHAN
BHAGIRATHI MAHAPATRA
SIDDIQUE ALI KHAN
H G STOKES*
P B GOLE

The 18th February, 1946

NOTE OF DISSENT BY THE HON'BLE SIR EDWARD BENTHALL

I regret that I am unable to agree with the majority of the Committee in the following matters :—

Para. 3.—I consider that the Governments of Provinces in which matters have reached a stage of negotiation have made a genuine attempt to carry out the terms of the White Paper according to local circumstances and in the interest of the travelling public

Para. 4.—In my opinion, in spite of the impending political changes, action should not be postponed since the interests of the travelling public demand additional and better bus services as soon as possible, new vehicles are, and are likely to become, available in the near future and there is no disagreement on the general policy of road-rail co-ordination My information is that in several areas a substantial body of operators or all operators concerned have approved the formation and structure of the companies, the terms of acquisition of their vehicles by the companies and the selection of individual promoters or managing directors. I recognise, however, that in certain other areas there is ground for a difference of opinion regarding the measure of consultation and agreement with operators hitherto and in my opinion the correct course in the present circumstances would be to proceed with the formation of companies and the introduction of services in areas where there is substantial agreement subject if the House wishes to scrutiny by a Committee of the House in respect of the fulfilment of the terms of the White Paper

Para. 5.—I am prepared to concur in the first part of this recommendation but not in the second part.

*Subject to a Minute of dissent.

Para. 6.—I do not consider that there was any contravention of my undertaking or any irregularity in authorising the railway to take up the agreed percentage of the increase in the capital of the Company concerned which was made in order to give greater participation to other existing operators.

E. C. BENTHALL.

The 16th February, 1946

NOTE OF DISSENT BY MR. H. G. STOKES

Para. 3.—I am unable to agree with the majority of the Committee that in most Provinces there has never been consultation nor negotiation. I feel that adequate consultation has been carried out save in a few cases.

Para. 4.—I feel that some time limit to postponement is desirable and I suggest that it be up to May 31st.

Para. 5.—I do not consider that action already taken under the Ordinance should now be invalidated.

Para. 6.—I am not satisfied that the action of Government was in contravention of the agreement or that there has been any irregularity, financially or otherwise.

H. G. STOKES.

The 14th February, 1946.

RAILWAY BUDGET FOR 1946-47

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, the Railway Budget for 1946-47, which I have the honour to present today, is at once and the same time a Victory Budget and the precursor of a series of more difficult Post-War Budgets. There is no need for me to recount once again the extent of the contribution of the railwaymen towards the victory which has placed India in a position to develop her economic and political life in freedom. The strain has at times been great but they have been equal to it. Though conditions particularly for passenger traffic have been difficult, all military requirements were successfully met, the people's food has been moved, industry has been maintained at a high level of productivity and, generally speaking, the railways have delivered the goods. The country can, I think, be satisfied that its greatest industrial asset has stood the test of war, but henceforward we must turn to a critical examination of this asset and consider how our railway finances stand and how best the resources in equipment and material can be adapted to meet the changing needs of post-war India

Goods Traffic

2. With the termination of the war the distribution of traffic has, of course, changed. The reoccupation of Burma relieved the pressure on the metre gauge connection to the North Eastern frontier which so long was a cause of anxiety, with the result that goods traffic is now moving fairly freely on the whole of the Northern metre gauge system, and this should continue. The Southern metre gauge system remains relatively active, but with the reinforcement of rolling stock and the easing of military demands goods traffic congestion will be gradually eliminated On the broad gauge, railways have loaded in the first nine months of the current financial year 6·24 per cent. more wagons and lifted 4·91 per cent. more tons of goods than in the corresponding period of the preceding year and, in spite of a decrease in military traffic, a high rate of activity continues. The transport of increased outputs of coal, particularly in the up-country direction, has presented difficulties which have recently been accentuated by severe outbreaks of epidemic dropsy and by mechanical trouble with some of the over-age engines on the East Indian Railway. Steps have been taken to overcome these difficulties and to move more coal by sea and it is accordingly hoped, as the new rolling stock comes into full operation, to carry all the goods offering and to build up stocks of coal in 1946 at the consumers' end. The railways should have the capacity to do so provided nothing intervenes to restrict its use, but as the stringency is likely to remain for some months to come, it will be necessary for the time being to maintain in operation, in decreasing degree, a system of priority movement control.

Passenger Traffic

3. Passenger traffic has continued at a very high level. The latest statistics show that, apart from the large number of military personnel moved in specials, the Class I Railways have carried an average of 85 million passengers every month during the current year. This means an increase of nine million passengers per month over 1944-45 and 20 millions over the monthly average in the year 1943-44. The passenger traffic handled in scheduled trains in terms of passenger miles—a more comprehensive unit of measurement—had already doubled last year in comparison with the pre-war level but during the current year it is nearly two and a quarter times as much. With the reduction of military demand, it has been possible to restore a certain number of train services but, as the House knows, conditions of travel are still very far from satisfactory. There are no fewer than 1,366 broad gauge and 416 metre gauge coaches still with the military and until we get these back or get new stock, we shall be unable to restore the services to a satisfactory level and must therefore continue to ask the public to be patient over our difficulties for a little longer. The condition of the coaching stock too has deteriorated during the war through intensive use and though the supply of fittings is likely to become progressively easier, it is not always possible to improve the condition of carriages quickly by withdrawing stock for repair without depleting services further, with still more serious inconvenience to the public. The improvement of the coaching stock position is one of the major tasks of the railways in the next few years. The first step to improve the position is the recovery and reconversion to civilian use of the stock loaned to the military and the overhaul of existing stock, some of which may require to be largely rebuilt. In addition, the 216 broad gauge and 94 metre gauge underframes which are arriving from Australia, together with all spare underframes which can be collected from the railways, will be utilised for the early increase of lower class capacity. This programme will very fully occupy the shop and labour capacity of the railways for coachbuilding. The employment of outside engineering works for the fabrication of bodies for some of the underframes is under consideration; but this will not prejudice the employment of railway labour. As a long term project experiments are being made in lightweight "all-metal" stock, suitably insulated and, of course, of improved design. Sample orders have been placed in order to carry out the necessary tests.

The question of new designs for lower class passenger coaches has received intensive study and the opinions of Local Advisory Committees have been taken. Sample coaches are being constructed. The approved layouts contemplate transverse seating sectionalised to give greater privacy for both Inter and III class passengers. The seats will afford adequate knee room and provide a degree of seating comfort beyond anything offered to Inter and III class passengers in the past and an innovation is being introduced in that sleeping accommodation as such will be provided in these classes. The number of passengers per lavatory will be further reduced and some small compartments retained for women and for reservation. Water storage capacity will be increased and a water supply made available in both compartments and lavatories. Lighting will be improved and fans provided in Inter class compartments. Renovation of upper class carriages will of course be taken in hand and railways will proceed with development of air-conditioned stock, but the main effort will be concentrated upon the improvement of lower class travel. It will, however, of course be appreciated that the volume of work entailed in bringing the stock up to the general standard which the country demands is large and cannot be achieved overnight by waiving a magic wand.

Engines and Wagons

4. The position regarding engines and wagons is more satisfactory than that of coaching stock. Of the 934 broad gauge engines on order to which I referred in my last year's budget speech 733 have been put into service, 29 have been

[Sir Edward Benthall.]

shipped or already received in India and 172 remain to come forward. These should go a long way to secure the power position. Of the broad gauge wagons previously on order 3,410 from the U. S. A. were cancelled on the cessation of Lease Lend arrangements. Of the 17,934 wagons on order in India, we expect to have received 13,439 by March 31st and the balance next year. Tenders have been called for a further 4,100 wagons of Indian manufacture. We hope that we shall have received 6,000 of the 8,000 Canadian wagons and 8,800 of the 10,000 wagons on order from the United Kingdom by the end of the financial year and the balance soon after. When all these deliveries have been completed, the railways which commenced the war with some 7,279 broad and metre gauge engines and 193,805 broad and metre gauge wagons should have available 8,541 engines and 239,000 wagons. Among these, however, are 389 metre gauge engines and 11,000 metre gauge wagons owned by the War Department, but it is expected that the railways will take over a large proportion of these. Eleven per cent. of the total wagons have been in service for 40 years or have been recommended for premature replacement, but the Indian industry should be in a position to provide replacements and any further accretions necessary to meet developing trade. Of the engines, however, 29 per cent. have passed the normal age of 35 years and it may be necessary to order a certain number of passenger engines from overseas before the locomotive building works now in course of inauguration in India are in a position to meet the demand. The first boilers from Singhbhum are in an advanced stage of production and work is proceeding at Kanchrapara, although the heavy programme of engine rehabilitation in these works is resulting in slower progress than we could wish. On the whole, however, the stock of engines and wagons should be adequate for current purposes.

Staff

5. It is only natural that the large body of railway servants who have worked loyally and strenuously during the last few years in furtherance of the war effort should now view with apprehension the inevitable adjustments which must result from a return to peace-time conditions. Government is, of course, well aware of the widely felt fear that a reduction in railway activity and the absorption of ex-service men will result in the discharge of large numbers of temporary staff. Publicity has been given to a number of misleading figures which bear no relation to fact. It is true that a certain amount of purely war work undertaking by the Railways has ceased, together with a portion of the purely military traffic. This military traffic has however, so far largely been replaced by increased civilian traffic and although it is difficult to look far ahead, there seems every prospect during the coming year of a demand for rail transportation comparable to that of 1943-44. But apart from this, rehabilitation works and new projects will absorb large numbers of railway workers in alternative employment and are being put in hand as rapidly as the supplies of raw material and the need for preparatory work permit. A variety of other means have also been adopted to avoid retrenchment on a large scale. Overtime has been cut down; in some cases, reduced hours of work for certain types of staff have been introduced; greater facilities for leave resulting in the entertainment of more substitutes have been arranged; certain leave rules—as a long-term policy—have been liberalised, while some work normally carried out by contract is, where possible, being temporarily allotted to departmental staff. The Railway Board and Railway Administrations are exploiting all these methods to the fullest possible extent in order to avoid throwing large bodies of workers out of employment during the immediate post-war period. There is no reason to believe that their efforts will not meet with success, but while the railways are playing their part in creating work for the workers, their degree of activity is, of course, ultimately dependent upon the general state of economic activity. So far, some 8,000 surplus men have been absorbed in this way and

only 8,800 out of a total labour strength of over 850,000 have had to be discharged, many of whom were occupied on purely war work which has been closed down. The Railway Board have been in close touch with the All-India Railwaymen's Federation in regard to this question although they have been unable to accept the claim that no railway servant should be discharged, a claim which it would be impossible for any Government department or any other business concern employing large bodies of men to accept. The Board will moreover continue to keep a close watch on these adjustments in the labour strength and will consult the Federation from time to time as heretofore.

Organised labour is also demanding the immediate revision of scales of pay. It must be realised that a wholesale revision in the very great variety of scales which exist on different railways is at the best of times an intricate matter requiring close investigation. The difficulties of such a revision at the present time are intensified by the uncertainty of future price levels. The Railway Board have, however, been working for some time on a suitable post-war pay structure with the idea that the actual scales could be determined without delay as soon as there is more certainty as to the level at which prices, rates and fares are likely to become stabilised. As was recently announced on the floor of the House, Government have decided to set up a Commission which will be predominantly non-official in character, to go into the whole question of the scales of pay for all their servants. In the meantime railway servants may rest assured that the present rates of relief which they are enjoying will not be reduced as long as there is no material reduction in the cost of living.

The question of medical facilities and educational assistance, the working of Staff Councils and the Staff Benefit Fund, the hours of employment of railway workers, housing, technical training and the method of handling establishment matters, all these with other questions relating to specific categories of staff, are under review. In short the Railway Board are giving the welfare of railway servants a prominent place in their post-war programme.

Post-War Plans

6. Government recognise the important part which railway rehabilitation and development can play in mitigating the shock of transition between war-time and peace-time conditions and in providing work for railway and other workers who would otherwise be in danger of unemployment. Transport services are indeed the foundation of activity in the heavy industries and the railways are losing no time in putting into operation the plans, which the House has discussed on previous occasions. The programme of construction of new railways and restoration of dismantled lines has been settled in consultation with Provincial Governments and surveys are proceeding on 8,000 miles of line. Work is being put in hand on such sections as require no further survey but the bulk of the work planned cannot commence until the next working season. A large programme for building new staff quarters of improved types is under way and in designing these types the wives of railway staff have been consulted. The Sargent Committee has just submitted an *ad interim* report on the development of tourist traffic. Each railway has submitted its five-year programme for rehabilitation and development. The total amount budgeted next year for new construction and open line rehabilitation works is 22 crores which should be a useful contribution to help counter the reduction in war expenditure. The Railway Board are also considering on a regional basis various schemes of developing electric traction, the establishment of a Research Branch, and plans to take advantage of and improve on the latest technical progress. Generally there is good reason to claim that the railways, in spite of their preoccupation with heavy war tasks, now find themselves comparatively well ahead in putting post-war plans into operation and I am confident that they will not be found wanting in meeting industrial demands for the development of the country.

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Road-Rail Co-ordination

7. The proposals for co-ordinating road and rail transport in accordance with the general terms on which the last Assembly approved the investment of Government railway finance in road transport companies, have made uneven progress. Road transport is, of course, a provincial subject and progress in each Province has therefore been governed by the policy of the Provincial Government concerned. Most Governments have formulated policies of developing their road transport on lines which permit the railways to participate. It has been possible, therefore, in some Provinces to negotiate freely agreed arrangements between the Provinces, the railways concerned, and the operators; in others, the natural desire of the operators to secure the best possible terms for themselves has resulted in prolonged discussions; other Provinces again have not yet fully determined their policies and in such cases little advance is to be recorded. Meanwhile the progress made by the Railway Board in carrying out the principles of the policy laid down by the House, has been the subject of examination by a special committee of this House whose report I have just presented this morning. A sum of 3·48 crores has been included in next year's budget for investment in road-rail companies. If this is agreed to, the test is still to come, for the success of the policy depends upon the ability of the operators who are charged with the management of these companies to perform their public duties. Private enterprise in the management of Government capital is very much on trial, but a continued study of the problem in the course of the negotiations which have taken place during the last year confirms the view that the course adopted is probably the best suited to the particular circumstances of India.

Accounts for 1944-45

8. Turning now to the accounts, the actual surplus for 1944-45 proved to be 49·89 crores, an improvement of 7·88 crores on the estimate due to an increase of 2·08 crores in gross traffic receipts and a saving of 5·22 crores in working expenses mainly due to a throw-forward to the following year. General revenues were credited with 32 crores of this surplus and the Railway Reserve with 17·89 crores. The net increase in the Railway Reserve was, however, only 14·93 crores as there was a withdrawal of 2·96 crores to meet arrears of depreciation in respect of rolling stock.

Revised Estimates for 1945-46

9. Against our budget estimates of Receipts, we expect a large increase in passenger earnings, those from upper class traffic being expected to show a much larger proportionate increase (35 per cent.) than those from III class (14 per cent.). Our goods traffic will not differ appreciably from our estimate but there will be a considerable fall in parcels traffic. Our present estimate of gross traffic receipts is now 225 crores.

On the expenditure side we expect an increase over the Budget of 9·26 crores in ordinary Working Expenses and 24 lakhs in Payment to Worked Lines. The principal increases are 1·32 crores for additional staff; 4·21 crores for increased Dearness Allowance and 1·68 crores for Grain Shop concessions; 2·45 crores for Maintenance expenditure; 2·03 crores for coal, including extra charges for shipment by sea; 1·84 crores for military sidings and the inflationary element in Works expenditure; and 1·62 crores on account of interest and depreciation payable to the War Department for the use of works built at their expense and of rolling stock belonging to that department. On the other hand special adjustments on account of rolling stock are 6·16 crores less and there will be savings on account of the disbandment of the Defence of India units and of the abolition of Air Raid Precautions of some 107 lakhs. Our revised estimate of total Working Expenses, including Depreciation at 17·05 crores and Payment to Worked Lines, is 169·80 crores against the original budget of 159·87 crores.

Our net Revenue is expected to be 59·43 crores and after deducting interest charges of 27·36 crores, we expect a surplus of 32·07 crores which is 4·44 crores less than the original budget. Of this 32 crores will be transferred to General Revenues and the balance of 7 lakhs to the Railway Reserve Fund.

Estimates for 1946-47

10. Turning to next year's Budget, calculations must, of course, be largely a matter of guess work. Basing our estimates of revenue, however, on this year's results taking into account known variations and after allowing for a sharp decline expected in military and parcels traffic but for a maintenance of passenger traffic owing to a continuance of plethoric money conditions combined with cheap fares and a continued scarcity of consumption goods, we place our estimate for the next year at 177 crores which is 48 crores less than the gross traffic receipts expected this year. In addition we expect a net revenue of 3·14 crores from miscellaneous transaction.

In making our estimate of ordinary working expenses in 1946-47 we have to reduce from this year's estimate 19·72 crores, on account of the reduction in the special adjustments on account of rolling stock, military sidings and structural works, the write off of the cost of dismantled lines and abandoned assets and the hire charges payable to the War Department. We have provided 54 lakhs less under Repairs and 44 lakhs less under compensation claims. We expect to save 1·56 crores under Defence of India Units and 1·68 crores under loss on grain shops. These and other minor savings aggregate 24·66 crores. But although, we hope to stop sending coal by sea in the course of the year with a resultant saving in freight, we shall be using up this saving in moving more coal by rail in order to build up our depleted stocks. We also expect to spend 48 lakhs more on new minor works. After making these adjustments in the estimates for the current year, we place our estimate of ordinary working expenses for the next year at 125·73 crores. The appropriation to the Depreciation Fund will be reduced by 4 crores because of the stoppage of the additional contribution for excessive war-time wear and tear and there will be an increase of 17 lakhs on account of the increase in the Capital at charge which is due partly to the acquisition of further railway lines. After allowing for interest charges of 27·24 crores, our surplus net revenue is expected to be 12·22 crores, 19·85 crores less than in the current year.

Without prejudice to any settlement under a new Convention regarding the division of future surpluses between Railway Reserves and General Revenues, which may have to be the subject of further consideration by Government and this House during the coming year, it has been decided that the contribution to General Revenues will consist of 1 per cent. of the capital at charge of commercial lines less the loss on strategic lines, together with half the balance remaining after setting aside 3 crores for a Betterment Fund. This will give 7·36 crores to General Revenues and 1·86 crores to the Railway Reserve Fund.

Betterment Fund

11. In February 1945 the Standing Finance Committee for Railways recommended that during years of prosperity a fund be built up by appropriation from surpluses for financing amenities for lower class passengers, the expenditure on which was likely to be unremunerative. We now have before us a large programme of additions and improvements covering amenities to lower class passengers, staff welfare and other items designed for the safety and comfort of the public, which are not likely to be remunerative, and which unless other provisions were made, would, contrary to the best railway practice in other countries and the advice of leading authorities on railway finance, be charged to Capital. Government accept the view that such betterments as do not increase the earning capacity of the railways should be a charge to revenue and not to Capital. In order, therefore, to provide for this and to enable the Board to plan ahead their programme of such works, they have decided to start a Betterment Fund by transferring a sum of 12 crores from the Railway Reserve and a sum of 8

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crores from the net revenue of 1946-47. Subsequent appropriations to the fund will depend upon the net revenue of each year and on a consideration of the respective needs of the railways and of General Revenues subject of course, to any Convention which may hereafter be adopted for the distribution of surpluses between Railway and General Revenues. Both appropriations to and expenditure from the Fund will be subject to the vote of the Legislature, but it has not been possible, in the time available since the decision was made, to include in the present budget any estimate of the expenditure from this fund next year.

Reserve Fund

12. We began the current year with a balance of 37·48 crores in the Reserve Fund. After withdrawal of 8·5 crores to cover the difference between the accumulations in the Depreciation Fund and the original cost of rolling stock, as arranged last year, and adding the surplus of 7 lakhs expected, the fund will stand at 29·05 crores on March, 31st, 1946. After transferring 12 crores to the Betterment Fund as suggested, withdrawing 1·82 crores on account of arrears of depreciation and adding the appropriation from surplus of 1·86 crores and 2 lakhs representing the profit on branch line shares purchased from the Reserve which will be cancelled on the acquisition of the lines by Government, the Fund at the end of 1946-47 will stand at 17·11 crores, of which 7 crores was earmarked last year for deferred maintenance.

Depreciation Reserve Fund

13. The Depreciation Fund which opened at 102·21 crores on April, 1st, 1945 is expected to close at 106·61 crores on March, 31st, 1946, and at 98·83 crores on March, 31st, 1947.

Review of the Railways' position

14. In closing my last Railway Budget speech, it is proper to review the position of railway finance. There is no question, of course, that the Indian Government railways have prospered financially in many ways as the result of the war. On April, 1st, 1939, the Railways had accumulated unpaid contributions to General Revenues of 35·41 crores, in spite of borrowings of over 30 crores from the Depreciation Fund which stood at 25·09 crores. The Railway Reserve Fund contained the exiguous figure of 48 lakhs only. At the end of the current year we calculate that after contributing during the war 158·43 crores to General Revenues including the arrears of contribution, our Depreciation Fund will stand at 100·61 crores and our Reserve Fund, before any transfer to the Betterment Fund, at 29·05 crores. We shall also have met loss on strategic lines to the extent of 6·01 crores.

In spite of these improvements calculations submitted to the Convention Committee showed that the Depreciation Fund is by no means excessive, if indeed it is adequate to meet the increased level of replacements. The Reserve Fund at the end of the current year will represent only some 3·82 per cent. of the capital at charge or only a little over one year's interest charges. It covers only a fraction of the large programme of amenities and improvements, many of them financially unremunerative, which we have in mind. Satisfaction must, therefore, be tempered with great caution, especially since the danger lies in our inability effectively to balance our budget in the future.

15. In this last connection it is my duty to issue a very clear warning. In 1938-39 the earnings of the railways were at a level of about 100 crores; they rose in 1941-42 to 135, in 1942-43 to 155, in 1943-44 to 185, in 1944-45 to 217 and this year we expect 225 crores. These results were mainly due to an increased volume of passenger and goods traffic, largely on account of war conditions and, only to a limited degree, which we estimate to an overall figure of 8 per cent., to increased rates and fares, mainly introduced in 1940. Our ordinary working expenses in 1938-39 were only 54·01 crores and, after deducting sundry abnormal charges, such as those due to the policy of writing down rolling stock purchased at high prices, rose to 102·35 crores in 1944-45 and are

pected to be some 119·52 crores during the current year. Of these charges e increase between 1938-39 and the current year has been due to some 40 ores on account of staff and 12 crores for increased costs of coal, the cesses which payable by the railways alone now equal about 50 per cent. of the total st of coal excluding freight in 1939-40.

16. Sir, in 1944 Government recommended the House to increase fares in der to build up a fund for post-war amenities for 3rd class passengers at the te of 10 crores per annum. The House rejected the proposal, which Govern- ent responsively withdrew, and in course of replying to the general debate on ebruary 21st of that year I issued a strong warning to the House concerning e need for building up reserves in view of the inevitable fall in receipts on ie cessation of war. I do not wish to revive old controversies nor would I aterially alter the words then used, but, as then foreshadowed, we budget next ear on a fall of 48 crores in receipts to a figure of 177 crores, which is below e 1943-44 level. Future tendencies are more likely to be downwards than wards.

17. In the course of the next year or two, Government will probably have to nsider several very serious problems in connection with railway finances, among em the basis of the Depreciation Fund and the revision of the Convention, l of which will require the careful study of Committees of this House. But ren more important, Government and the House may well have to give serious nsideration to the linked problems of the levels of rates and fares, the price coal and the level of wages. These are knotty problems which have to be ced courageously and with a broad outlook, if our post-war plans are to be ought to fruition, for, once our budget becomes unbalanced and our reserves e eaten up—and under unwise management they can disappear almost over- ight—it will not be an easy matter to rebuild them or to find the money for tensions, improvements, staff benefits and amenities to passengers.

18. With regard to staff, it is the aim of Government to maintain the maxi- um possible employment on the railways, provided work of an economic kind an be found for the staff and to maintain wages and salaries at a level which ill continue to give a fair deal to our men. It will take a very severe effort earn the money to do justice to every one and much will depend upon the fficiency with which the staff themselves handle the traffic offering and ncourage more traffic. As regards coal, no one, I think, wishes to see coal rices driven down to such levels as to render economic and efficient working f the mines once again impossible. If, therefore, expenses are not to be unduly ut, which would be against the expansionist policy of Government, the need increase rates and fares in the future may have to be seriously faced, and, in his connection, I would recall that railway executives in the United Kingdom nd elsewhere contemplate, I believe, that to meet similar conditions an increase f 20 or 25 per cent. may be necessary. Happily it is not necessary in India his year and, if traffic is maintained or expands, may never be necessary, but should have failed in my duty if I had not put the contingency squarely before he House.

Rates

19. The acquisition by the Government of all the major Indian railways early renders desirable and possible a thorough revision of the railway rates *ructure*. It is important in considering this subject to draw a distinction tween a revision of the rates structure, system or procedure and the rating olicy or determination of the *level* at which general or particular rates shall be sed in the post-war world. With regard to the latter question the House ill probably agree with me that it is as difficult to determine with any finality this point of time what the future level of rates shall be, as it is for Govern- ent to determine what the level of salaries and wages of their servants shall e or for a business firm to settle with any degree of permanency what the future les levels of their products shall be. All are dependant upon a clear view

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of the general level of prices and of costs of living, and the permanent rating policy must depend upon many factors as yet undetermined, such as the effect of road and sea transport on railway traffic and the tariff policy of the country. There is, however, no reason why the revision of the rates *structure* should not be tackled now. This task was in fact taken up by the Indian Railway Conference Association in 1943 and has since been under the close study of experts. In the past the rating structure was affected by the fact that each railway, company-owned and managed or otherwise, functioned as a commercial concern limited only by the statutory maxima and minima, and there has grown up a rating system of extreme complexity. It will probably bring home to the House the extent of this complexity if I mention that the unravelling of the system involves the detailed study and correlation of between 10 and 20 thousand rates. Progress may to the uninitiated seem slow, but valuable progress has been made. The Wedgwood Committee in 1937 found that the application of the "continuous" mileage principle to telescopic rates where the "discontinuous" mileage principle is now in force, would be bound to lead to heavy losses to the railways, which might, of course, severely affect their economic survival. Intensive study has shown that this hurdle can be overcome, and the Indian Railway Conference Association have reported favourably on the possibility of introducing telescopic class rates on a "continuous" mileage and on various other improvements and simplifications. It is hoped, therefore, before long to produce a revised system of rating which will eliminate the shortcomings of previous practice in unhealthy competition between railways which produced uneconomic and complicated rating and routing, to reduce very drastically the difference between railway risk and owners' risk rates, and to eliminate anomalies and simplify procedure to the greatest possible extent. These are objectives which had long been called for by public opinion, and I hope before next year that it will be possible to lay before a Comm'ttee of this House and the Post-War Transport Policy Committee for detailed study, proposals in a form in which the implications of this particularly complicated problem can be fairly easily assimilated.

Conclusion

20. And so to sum up, India has in her railways a very valuable asset which has been maintained without disastrous loss of efficiency owing to war usage and which is in many ways much better equipped technically than before the war. Rehabilitation is in hand and resources exist to effect it without undue strain. Financially the position is far sounder than it has been at any stage in the history of the railways; its strength has been increased by the policy followed in the war and bears no relation to the situation revealed after the last war. Lower class travel has not been comfortable in the past because the main consideration has been the provision of cheap travel to India's impoverished masses, but improved coaching stock and other amenities together with properly coordinated road services should better the conditions of travel in future. The railways should soon be able to meet the demand for goods traffic and will expand to meet further industrial and agricultural production. The one great potential danger which has to be faced is the wartime legacy of a high level of operating costs and of post-war commitments for amenities, together with a level of rates and fares out of tune with the general level of prices. Forewarned is forearmed. India has a great asset which must be carefully nursed and firmly administered.

21. Finally, it gives me once again great pleasure to pay tribute in deep sincerity to the grand work of the railwaymen. From the Chief Commissioner, Sir Arthur Griffin, downwards they have given, under the heart-breaking limitations imposed by war conditions, good service to the public in critical days and, if I may end on a personal note, I shall for ever treasure the loyal support which I have had and the friendships and associations which I have enjoyed during my days among the railwaymen of India.

INDIAN COINAGE (AMENDMENT) BILL

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I move for leave to introduce a Bill further to amend the Indian Coinage Act, 1906.

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Coinage Act, 1906."

The motion was adopted.

The Honourable Sir Archibald Rowlands: Sir, I introduce the Bill.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR EXTERNAL AFFAIRS DEPARTMENT

Mr. H. Weigatman (Secretary, External Affairs Department): Sir, I move:

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, eight non-official members to serve on the Standing Committee to advise the External Affairs Department, on subjects pertaining to British Baluchistan and the tribal areas, for the unexpired portion of the financial year 1945-46 and the financial year 1946-47."

Mr. President: Motion moved

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, eight non-official members to serve on the Standing Committee to advise the External Affairs Department, on subjects pertaining to British Baluchistan and the tribal areas, for the unexpired portion of the financial year 1945-46 and the financial year 1946-47."

Mr. M. Asaf Ali (Delhi: General): I desire to draw the attention of the House to the fact that the scope of this committee appears to be very restricted. This committee is not expected to go further than to deal with subjects which relate to British Baluchistan and the Tribal areas. I am not quite certain what exactly the Honourable Member means by 'tribal areas' because tribal areas are on the North West as well as on the North East. I wonder if the tribal areas contemplated here cover both the regions.

Further the Department covers a much wider field than that mentioned here because I believe the External Affairs Department has to deal with some parts in the Middle East and also with certain coastal areas of Arabia. I am perfectly certain that the Department deals with those areas.

1 P.M.

If the Honourable Member denies it, I shall have to revise my opinion. But to the best of my information, the Department certainly deals with a much wider field, with Persian Gulf, for instance. In any case, the Department deals with a much wider field than mentioned here, and therefore, my suggestion is that we should postpone the election of the committee which is contemplated in this Motion, until we find that the Government are prepared to give us a wider field to cover. Even if it is only a matter of advice, let us look into all that the Government deals with. After all, sooner or later, we have got to take over these Departments. Why should we not be allowed to look into the entire working of the Department. That is how we look at the proposition. I do not wish to make a long speech on the subject. I am perfectly certain that the views I have expressed will commend themselves to this House.

Mr. President: What does the Honourable Member mean? Postpone consideration of the Motion?

Mr. M. Asaf Ali: Yes, until we have a wider field to look into for this purpose.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): I entirely endorse the views expressed by Mr. Asaf Ali, because the scope of the Committee seems to me, as it is on paper, very limited. We are not yet told as to what the function of this Committee will be, as to whether it would look into the affairs in the Middle East, as Mr. Asaf Ali just now mentioned. If it does not, then I would like the Honourable Member to tell us as to whether

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this Committee will deal with all the subjects arising out of British Baluchistan or only subjects placed before the Committee by the Honourable Member, or whether Honourable Members will be allowed to give notice of questions relating to British Baluchistan only. I should like the Honourable Member in charge of the External Affairs Department to make a statement on this subject or circulate a note, so that we may be in a position to judge as to what attitude we should adopt.

Mr. H. Weightman: Sir, the form of this Motion is in accordance with the rules regarding the constitution of Standing Committees which in turn were based on the recommendations of a Select Committee of the House. Perhaps I may read the relevant portion of the Select Committee's recommendations.

"There remains only the External Affairs Department. We recognise that in so far as foreign affairs are concerned, this Department occupies a very special position from the relevant point of view. To this extent we accept the contention that an Advisory Committee could not be properly attached to this Department. We feel, however, that no objection should attach to the setting up of a Standing committee to advise on those activities of the Department which pertain to the tribal areas and Baluchistan. We are assured that this question will receive early and sympathetic consideration. In view of this assurance, we do not desire to press for any immediate action in the case of the External Affairs Department."

That assurance was given and action was taken accordingly.

Lt.-Col. Dr. J. C. Chatterjee (Nominated: Non-official): What is the date of that assurance?

Mr. H. Weightman: The Select Committee reported on 28th February 1945. The Committee had on its membership persons of such eminence as Mr. Bhulabhai J. Desai, Nawabzada Liaquat Ali Khan and one or two other Members who are still with us in this House. We are proceeding on the basis of the recommendations of this Select Committee and the rules framed thereafter. On the question whether we have any administrative responsibilities in the Middle East, the answer is—no. We have a responsibility for finding personnel for filling certain Agencies and Consulates in the Persian Gulf. As for British Baluchistan, we shall of course proceed in accordance with the rules framed for the guidance of these Advisory committees and make no attempt to exclude any matter which properly came within the terms of these rules.

It seems a pity, if I may say so, to delay matters. Even as matters stand at present, we can I think do some useful work. I would therefore ask that the Motion be taken as it stands and that we should not delay.

Mr. President: I could not quite follow the request of the Honourable Member Mr. Asaf Ali. As far as I understood it, it seems to be that the scope of subjects for advice should be co-extensive with the subjects which this particular Department is dealing with. That seems to be the subject of his request. As I understood the Honourable Member, this scope seems to be in addition to Baluchistan and Tribal Areas, questions relating to Persian Gulf. This is perhaps much wider. If that is so, then, of course it is for the Government to consider, and it is for the Parties in the House to come to any settlement about it as to whether the scope should be restricted as it is at present or it should be co-extensive with the activities of the Department. I may point out one difficulty which I feel at present and that is, this committee is constituted under the Rules regulating the constitution and procedure of standing committees, the proceedings of which I believe the Honourable Member read out just now. According to his motion, the committee as constituted will advise the External Affairs Department on subjects pertaining to British Baluchistan and the tribal areas. So, just at present the difficulty will be that so long as these orders stand as they are, it will not be possible to amend this motion by even an amendment even if all parties are agreed that the scope should

be extended. If it is the desire of certain parts of the House to have the scope extended, then the best course would be to put the motion off for a couple of days. In the meanwhile, members may meet and have discussions in private, rather than have discussion on the floor of the House and then see if it is possible to arrive at an agreed motion.

Seth Yusuf Abdoola Haroon: That will be much better.

Mr. President: In view of the opinions expressed by both parties in the House, that would be the best course, unless the Honourable Member for Government says there is some urgency about it.

Mr. H. Weightman: I understand the Honourable Member opposite to suggest that we should not consider at present the formation of the Advisory Committee for External Affairs Department.

Mr. M. Asaf Ali: Not at all.

Mr. H. Weightman: Until we change the constitutional position.

Mr. M. Asaf Ali: Sir, if I may explain, I said nothing more than that we should postpone consideration of this motion pending an agreement between Government and ourselves. As regards the scope of this Committee we can sit down and talk about it and we can come to some sort of agreement. If we do, this motion can be brought up two or three days hence. There is not particular urgency, as far as I can see, to push this motion through today.

Mr. H. Weightman: Sir, I have no objection to postponement if that is generally desired.

Mr. President: This motion is for the time being postponed and can be taken up at some other suitable time. There will be time for discussion even today and the motion can come up tomorrow. When it is an agreed motion it will not take much time. But that, however, is for Members to decide among themselves.

STATEMENT OF BUSINESS

The Honourable Sir Edward Benthall (Leader of the House): Sir, in my statement last Thursday I indicated that apart from the possibility of the Insurance Bill carrying over from Tuesday to Thursday this week, we are unlikely to have any other substantial business for Thursday. I now propose to put down the Labour Member's motions for the consideration and passing of the Factories Amendment Bill on that day and also Mr. Mason's motion for the election of members to the Defence Consultative Committee.

The Assembly then adjourned till Eleven of the Clock on Tuesday the 19th February, 1946.

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LEGISLATIVE ASSEMBLY DEBATES

TUESDAY, 19th FEBRUARY, 1946

Vol. II—No. 5

OFFICIAL REPORT

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Tuesday, 19th February, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

ENAMEL PLANTS IN INDIA

339. *Mr. Manu Subedar: (a) Will the Honourable the Industries and Supplies Member please state how many enamel plants operated during the war in India?

(b) What classes of goods were purchased from the owners of such plants by Government during the period of the hostilities?

(c) Is it a fact that all outstanding orders with them have been cancelled?

(d) Is it true that arrangements have been made for the purchase and import into India from the United Kingdom of large quantities of the class of goods which were supplied by these factories during the war?

The Honourable Mr. A. A. Waugh: (a) Twelve enamelware factories were in production during the War.

(b) Broadly speaking, two classes of enamelware were purchased:

(i) Medical Stores, such as trays, bowls, feeding cups, baths, etc.

(ii) Services stores, such as plates, mugs, basins, ewers, etc.

(c) No, Sir, but, due to reduction in demands, some outstanding orders were cancelled.

(d) Yes, Sir. Some orders were placed on the U.K. in order to release capacity in India to meet civilian needs.

Mr. Manu Subedar: With regard to part (c) of the question, may I know why some orders were reduced in India and yet orders for the same kind of material were placed in the United Kingdom at the same time?

The Honourable Mr. A. A. Waugh: The sequence of it was not like that. What happened was that a representative of the War Department went to the War Office early in 1945 and asked War Office to produce as much as they could from their stocks, so that some of India's capacity might be devoted to civilian requirements. I am not quite sure how much he got out of it—not very much, I think—but there was no question of cancelling demands for the War Department placed in India in order that they might be obtained from Home.

Mr. Manu Subedar: In view of the acute shortage of these goods in the United Kingdom itself, may I know why Government have not represented to His Majesty's Government that these enamel goods are not now wanted for India and that India's total producing capacity is very far beyond the requirements of Government as well as the civil population and should be used?

The Honourable Mr. A. A. Waugh: Only what the War Office, England, happened to have in stock was indented. No orders for manufacture were placed in England, nor are any being placed now.

Mr. Manu Subedar: Will the Honourable Member then assure this House that so far as the future is concerned, any orders going out of this country are carefully scrutinized and that whatever can be produced here will be taken by Government?

The Honourable Mr. A. A. Waugh: I can assure the Honourable Member that all orders placed for enamelware will be most carefully scrutinized to see that they are placed first in India if obtainable.

Sri M. Ananthasayanam Ayyangar: May I know from the Honourable Member how many of these companies are Indian?

The Honourable Mr. A. A. Waugh: The great majority.

Sri M. Ananthasayanam Ayyangar: May I know why orders are placed in the United Kingdom when the need for the same kind of enamel articles here must be going down in view of the fact that the Army units have been disbanded?

The Honourable Mr. A. A. Waugh: I have explained that no orders are being placed in the United Kingdom since the war is over.

RESOLUTIONS OF THE SECOND FOREIGN MINISTERS' CONFERENCE IN MOSCOW

340. *Prof. N. G. Ranga: Will the Secretary for External Affairs be pleased to state:

(a) if Government have examined the resolutions of the Second Foreign Ministers' Conference held in December, 1945, in Moscow; if so, their appreciation of the resolution that accepts India as one of the members of the proposed world organisation;

(b) whether the political position therein envisaged for India is in any way different from, or better than, that granted to India soon after the last world war when India was accepted as an original member of the League of Nations; and

(c) whether the Government of India was consulted by the British Government or has made any representations on its own initiative to the British Government on the eve of the said Conference as regards the Indian interests in the Pacific and Indian Ocean?

Mr. H. Weightman: (a) Government have examined the communique issued after the Foreign Ministers' Conference in Moscow in December 1945 but can find no reference in it to acceptance of India as one of the members of a proposed world organisation.

(b) Does not arise.

(c) No question affecting Indian interests in the Indian Ocean area arose at this Conference but His Majesty's Government have, at the instance of Government of India, secured that India's interests in the Pacific area shall be safeguarded by the inclusion of a representative of India in the Far Eastern Commission and of a member representing the United Kingdom, Australia, New Zealand and India in the Allied Council for Japan. The latter will be assisted by an Adviser appointed by Government of India

Mr. K. C. Neogy: With reference to part (a), may I know if it is not a fact that the question of India's participation in the Peace Conference did arise at this Conference?

Mr. H. Weightman: Yes, Sir. That is correct.

Mr. K. C. Neogy: Do I take it then that there was no objection to India's participation as a co-equal with the other nations of the world?

Mr. H. Weightman: India's participation in the Peace Treaties Conference was accepted at the Moscow Conference, and India will sign the Treaties with the enemy countries

Mr. K. C. Neogy: Is it a fact that at one stage Russia took exception to India's participation in the Peace Conference on the ground that India was not free to conduct her foreign relations?

Mr. H. Weightman: I believe that is so.

Mr. K. C. Neogy: Does the Honourable Member propose to give us an idea about the answer that was furnished to this objection either by the British Foreign Secretary or on behalf of the Government of India?

Mr. H. Weightman: I am afraid I am not able to give an answer.

Mr. K. C. Neogy: Will the Honourable Member please make enquiries and then let us know what the exact answer to this objection was?

Mr. H. Weightman: Yes, Sir.

Sri M. Ananthasayanam Ayyangar: May I know from the Honourable Member if it is a fact that in agreeing to India's participation in the World Organization, Russia demanded that the Baltic States should also be given the same status as a *quid pro quo*?

Mr. H. Weightman: I think not.

Prof. N. G. Ranga: Is it not a fact that India is considered to be a part of the British Delegation and therefore any privilege or any position that may be given to India is looked upon as an additional privilege or position given to Great Britain?

Mr. H. Weightman: Part of what delegation?

Prof. N. G. Ranga: British Empire Delegation.

Mr. H. Weightman: In the Peace Treaties Conference—no, Sir.

Mr. President: I think the question is not properly understood by the Honourable Member.

Prof. N. G. Ranga: Is it not a fact that the other countries, especially Soviet Russia, did consider that any privilege or position given to India will only be a part and parcel of total representation given to the British Empire, and therefore they took objection to any share being given to India?

Mr. H. Weightman: I cannot answer for what the Russian Government may have thought. The fact remains that India is to be a party to the signing of the Peace Treaties.

Prof. N. G. Ranga: What is the exact position of India's delegation there? Is India's delegate completely free to act in the interest of India and independently of the British total delegation for the British Empire?

Mr. H. Weightman: Yes, Sir.

Prof. N. G. Ranga: Why is it that my Honourable friend says that part (b) of this question does not arise? The question is whether the position of India today in the United Nations Organisation is better or worse than what it was when she became an original member of the League of Nations?

Mr. H. Weightman: Part (b) follows from part (a) which refers to the acceptance of India as one of the members of the proposed World Organisation.

Mr. K. C. Neogy: When the Honourable Member said, rather conveyed the impression, that India was free to take any action which she chooses independently, I take it, of the United Kingdom—His Majesty's Government—do I take it, that it is the case of the Honourable Member that the Government of India is free to act as indicated?

Mr. H. Weightman: I am not quite sure that I appreciate the significance of that question.

Mr. K. C. Neogy: What did he mean when the Honourable Member agreed with my Honourable friend Prof. Ranga that India was free to take any action? Do I take it that when he referred to India, he meant the Government of India as at present constituted—the Governor-General in Council?

Mr. H. Weightman: The Government of India at the time of the signing of the Peace Treaties.

Mr. M. Asaf Ali: May I know whether India is being treated as a sovereign country and has become a member in her own right? If it is not so, what is the explanation that the Government have to offer about the position which India occupies in these International Conferences?

Mr. H. Weightman: I am sorry: I have not followed that question.

Mr. M. Asaf Ali: Is it or is it not a fact that India constitutionally is not yet a sovereign country?

Mr. H. Weightman: Yes.

Mr. M. Asaf Ali: If so, in what position is India being represented at these international conferences?

Mr. H. Weightman: India is being represented in so far as . . .

Mr. M. Asaf Ali: Obviously as a subordinate country!

Mr. H. Weightman: May I proceed, Sir? India is being represented on the Peace Treaty Conference as one of the countries that actively waged war with the substantial military forces against the European enemy States.

Mr. M. Asaf Ali: That is not enough. What I am wanting to know is this: whether India is being treated as a sovereign country in these international conferences or not. If so, why does this anomalous position continue, that here in the country itself, the Government of India is only a subordinate Government?

Mr. President: Is the position clear to the Honourable Member?

Mr. K. C. Neogy: The Honourable Member stated that the reference to India means the Government of India as it may be constituted at the time the Peace Treaty comes to be signed. Whether it is the Government of India as at present constituted, or as it may be constituted at that time, do I take it that the Secretary of State, representing His Majesty's Government, and the British Parliament have already agreed to relax their control over India insofar as this position goes?

Mr. H. Weightman: I do not think the question has arisen. I have explained how India stands in relation to the signing of the peace treaty. I cannot go further than that.

Mr. K. C. Neogy: But the Honourable Member has already given an assurance that the Government of India as it may be then constituted, will be free to take whatever action she chooses at the time. Do I take it that this answer is based upon any assurance that the Government of India may have received already from His Majesty's Government that the constitutional control exercised by the British Parliament and His Majesty's Government over the Government of India will be relaxed for this particular purpose?

Mr. H. Weightman: No, Sir. That matter has not come under consideration.

Mr. K. C. Neogy: How then does the Honourable Member give that assurance?

(No answer).

Prof. N. G. Ranga: How are the Indian delegates at the U.N.O. Conference advised? Does the Government of India first get its advice from the British Government and then pass it on to them, or do they get advice direct from the Government of India without being tutored by outside authority?

Mr. H. Weightman: We now seem to have gone to the U.N.O. The answer is that the Government of India delegates to the U.N.O. have been instructed by the Government of India themselves and not after reference to anyone else.

PRODUCTION OF STEEL IN INDIA

341. *Mr. Manu Subedar: (a) Will the Honourable Member for Industries and Supplies give figures of the production of steel in India during the years 1939-40, 1941-41, 1941-42, 1942-43, 1943-44, 1944-45 and 1945-46 (upto the 31st December 1945)?

(b) Which kind of steels, which were not produced in India before the war, were produced during the war?

(c) After the steel was so produced, how much steel was given for the consumption of the civil population?

(d) How much steel is available as surplus?

(e) Is it on order with the producers, or is it in the hands of Government?

(f) Have all orders placed during the war been cancelled or only some of them?

(g) Why have not Government made steel available for building purposes to the civil population?

The Honourable Mr. A. A. Waugh: (a) A statement is laid on the table.

(b) Shell steel, alloy steel for bullet proof plates, acid open Hearth steel for wheel, tyre and axles, and a wide range of tool and alloy steels to various specifications, have been produced in India during the war for the first time.

(c) A statement is laid on the table.

(d) and (e). The quantity of surplus steel was estimated after V-J day to be 3,70,000 tons. This was lying partly with fabricators and partly with Government.

(f) Most of the unexecuted war demands have been cancelled.

(g) Steel has been made available for building purposes as rapidly as the supply position permitted. The limits of unlicensed sales are also being enhanced so that steel for building purposes can be acquired without licences.

Statement

Part (a)

Statistics have been compiled according to the calendar year and *not* by the financial year—

Year	Total production (in tons)
1939	8,42,902
1940	10,33,784
1941	11,37,650
1942	10,70,451
1943	11,66,204
1944	10,59,292
1945	10,69,045

Part (c)

Year	Allocation for civil consumption (in tons)
1941 (August—December)	57,951
1942	1,50,045
1943	1,27,089
1944	1,81,561
1945	3,31,181

N.B.—Figures for earlier periods are not available.

Mr. Manu Subedar: With regard to (b), may I know whether Government have made arrangements for the continuation of the production of different kinds of steels which were produced during the war; and whether Government will protect these particular productions against foreign imports of like kind?

The Honourable Mr. A. A. Waugh: Arrangements have been made for continuing the production of these special steels. If there is any need for protection that will certainly be examined.

Sri M. Ananthasayanam Ayyangar: What percentage of the steel production during the war was taken by the Government?

The Honourable Mr. A. A. Waugh: At one time, Sir, about 90 per cent. of it. But that was at the peak of the war.

Sri M. Ananthasayanam Ayyangar: May I know if during the war that portion which was released for civilian consumption came up to 25 per cent. at any time?

The Honourable Mr. A. A. Waugh: Yes, Sir, in 1945.

Sri M. Ananthasayanam Ayyangar: May I know if any promise is given for steel exports from India?

The Honourable Mr. A. A. Waugh: A negligible quantity.

ORGANIZATION OF THE STEEL CONTROLLERS.

342. *Mr. Manu Subedar: (a) Will the Honourable Member for Industries and Supplies please state when the offices of the Steel Controllers at the Centre and in the Provinces were created and what is the present organization of the Steel Controller?

(b) Who are the people and what are they being paid per month?

(c) On what basis is priority for the supply of steel based since the stoppage of hostilities?

(d) Have Government received representation from the Provincial Governments and seen expression of public opinion in the press that it is essential to supply steel for building work being resumed?

(e) Do Government propose to take steps to make available about a thousand tons for the city of Bombay which suffered through the explosion?

The Honourable Mr. A. A. Waugh: (a) and (b). A statement is laid on the table.

(c) No definite priority instructions are in operation since the stoppage of hostilities but the general principle is that Government demands for Defence, Railways and Civil purposes, and also the demands of the industries fostered by Government during the war, are given preference over other demands.

(d) Yes, Sir.

(e) Immediately after the explosion in Bombay, Government made an allotment of 1,000 tons of steel for urgent reconstruction work but this was not taken up.

Statement

Office	Place	Date of creation	Name of the officer	Pay
Iron and Steel Controller and *ex-officio* Controller of Steel Imports.	Calcutta	1-8-41	Mr. E. G. Spooner	Nomial salary of Re. 1 per annum.
Regional Dy. Iron and Steel Controller, Bengal Circle.	Calcutta	1-12-42	Mr. A. K. Mitra	Rs. 1,550 p. m.
Regional Dy. Iron and Steel Controller, Bombay Circle.	Bombay	1-12-42	Mr. L. F. Berry	Rs. 1,700 p. m.
Regional Dy. Iron and Steel Controller, Sind Circle	Karachi	1-6-43	Mr. J. P. Bapasola	Rs. 1,800 p. m.
Regional Dy. Iron and Steel Controller, Madras Circle.	Madras	1-2-43	Mr. L. Henshaw	Rs. 1,800 p. m.
Regional Dy. Iron and Steel Controller, Punjab Circle.	Lahore	1-2-43	Mr. Inder Prasad	Rs. 1,200 p. m.
Regional Dy. Iron and Steel Controller, U. P. Circle.	Cawnpore	5-2-43	Mr. R. R. Chari	Rs. 1,450 p. m.

Mr. Manu Subedar: Have Government enquired why it was not taken up?

The Honourable Mr. A. A. Waugh: The Bombay Government found they did not need it. One reason was, I think, that the explosion literally uncovered undisclosed stocks.

Mr. Manu Subedar: May I know whether the Central Government, who are responsible for the explosion, made any enquiry as to why the enormous population which was dehoused on account of the explosion in Bombay has not been rehoused in buildings and why these buildings have not gone up?

The Honourable Mr. A. A. Waugh: I must ask for notice of that question.

Sri M. Ananthasayanam Ayyangar: May I know if any portion of this is allowed for the purpose of agricultural machinery?

The Honourable Mr. A. A. Waugh: Yes.

Sri M. Ananthasayanam Ayyangar: What percentage is allowed for building purposes and what percentage for agricultural machines?

The Honourable Mr. A. A. Waugh: If the Honourable Member so desires I shall collect the information: but so far as possible all agricultural needs are met.

Sri M. Ananthasayanam Ayyangar: Is the Honourable Member aware that there has been a large demand from the agricultural population but for want of priority they are put to a lot of trouble, and will he give similar preference to agricultural machinery?

The Honourable Mr. A. A. Waugh: I will examine this question but I cannot promise any absolute priority for agricultural machinery.

Sri M. Ananthasayanam Ayyangar: How long is this control over steel to be continued?

The Honourable Mr. A. A. Waugh: Government have come to no decision on that subject.

Prof. N. G. Ranga: In view of the fact that during this food crisis one of the biggest things needed is adequate transport, will Government be pleased to give special priority for the supply of iron bands for bullock carts that are used in the countryside by *kisans*?

The Honourable Mr. A. A. Waugh: I do not think a special priority is required, but as much as possible will be made available for the purpose.

Mr. Manu Subedar: Is it a fact that some of the controllers were directly associated with some of the big steel producing companies?

The Honourable Mr. A. A. Waugh: The Iron and Steel Controller was lent to us by a big steel producing company.

Mr. Manu Subedar: The men now controlling steel are lent officers or men associated with other steel companies and they are only waiting to go back as soon as Government abolishes the steel control?

The Honourable Mr. A. A. Waugh: Some officers were lent to us and when there is no need for further control, I have no doubt some of them will rejoin the firms to which they belonged.

Prof. N. G. Ranga: Is it necessary for the Government to wait until the *kisans* refuse to plough the land and cart the grain to the markets before they realize the needs for special priority?

The Honourable Mr. A. A. Waugh: Steel is being very largely supplied to cart dealers and for agricultural impliments.

SHORTAGE OF STEEL DUE TO STOPPING OF ROLLING MILLS

343. *Mr. Manu Subedar: (a) Will the Honourable Member for Industries and Supplies please state how many steel rolling mills there are in India?

(b) How many of these were stopped by Government through their unwillingness to release coal for them?

(c) Who advised Government that this was a desirable thing to do?

(d) What was the total number of men thrown out of work by this stoppage?

(e) Is it a fact that the acute shortage of steel everywhere is due to the stopping of the rolling mills?

(f) Have orders been given for the resumption of work by them, if so, how many?

The Honourable Mr. A. A. Waugh: (a) The Honourable Member presumably refers to steel rolling mills of re-rollers. There are 105 of these who are members of the Steel Re-rolling Mills Association of India, and 50 mills who are not.

(b) There was no question of Government being unwilling to allot coal, but at a time when the shortage of coal was acute, production had to be concentrated on the more efficient units. The Honourable Member is referred to the answers given to question No. 230, on 13th February, 1946.

(c) Government were responsible for the decision taken in the cases after considering the recommendations of its officers.

(d) The information is not available.

(e) and (f). No, Sir. The Honourable Member is referred to the answers to Question No. 230, on the 13th February, 1946.

Mr. Manu Subedar: May I know why Government have not enquired about the number of men who were thrown out by their arbitrary action in withholding coal from these rolling mills?

The Honourable Mr. A. A. Waugh: If the Honourable Member wishes I shall endeavour to collect the information. The number of men employed in these mills varied considerably from time to time.

Mr. Manu Subedar: What happened to the scrap which these re-rolling mills were using?

The Honourable Mr. A. A. Waugh: The Honourable Member has another question on that which I shall answer later.

Sri M. Ananthasayanam Ayyangar: The Honourable Member has referred to the answer given to some question in his reply. May I know if orders have been given for the resumption of these mills and if so, how many?

The Honourable Mr. A. A. Waugh: All of them are allowed to run now and I think nearly all of them are running.

Sri M. Ananthasayanam Ayyangar: Has the Honourable Member examined the coal position and are they in a position, apart from the question of giving orders for the resumption of the mills, to run or is it a fact that some of them are not able to run for want of coal?

The Honourable Mr. A. A Waugh: I have had no complaints that any mills have been closed for want of coal.

Mr. Manu Subedar: Will the Honourable Member make further enquiries and find out whether the rolling mills are able to supply the *kisans'* requirements, for which my Honourable friend Prof. Ranga was pleading?

The Honourable Mr. A. A. Waugh: Yes, I shall make enquiries.

IMPORT OF STEEL SINCE 1939

344. *Mr. Manu Subedar: (a) Will the Honourable Member for Industries and Supplies please state how much steel has been imported since September 1939?

(b) How many import licences have been applied for and sanctioned?

(c) What happens to the steel scrap in India, while the rolling mills which were using this were stopped?

(d) Was any pressure brought on Government by the Tata Iron and Steel Company Limited, and the SCOB for discontinuing the working of smaller mills?

(e) In view of the shortage of steel in India, what arrangements have Government made for securing a large supply from the U.S.A. or the United Kingdom or Belgium, where an excess is reported?

(f) Did any of the deputations including that of Sir Ardeshir Dalal make an effort to get more steel for India?

The Honourable Mr. A. A. Waugh: (a) A statement is laid on the table.

(b) The total number of applications received upto the end of January, 1946, is 24,852 and the number of licences issued is 20,221.

(c) The bulk of the scrap was utilised by those rolling mills which were in operation and the balance was released for civil consumption.

(d) No, Sir.

(e) During the war, the Government arranged to import and distribute balance of steel representing the difference between essential Indian demand and indigenous production. Steps are now being taken to enable import through normal channels. Certain categories of steel can now be imported under Open General Licence from the Sterling areas. Further, licences to import from other sources are granted when supplies are not available from the sterling areas and when they are required for essential purposes.

(f) Sir Ardeshir Dalal's deputation was not for the purpose of obtaining more steel India needs imports only in certain categories like tin plates and sheets and every effort is being made to obtain greater supplies of these.

Statement

Year	Import in tons
1939	2,78,449
1940	1,96,861
1941	1,53,436
1942	1,79,982
1943	3,20,063
1944	3,34,084
1945	3,26,327

Mr. Muhammad Nauman: Will the Honourable Member state with reference to part (e) of the question, how the Belgian company's steel prices compare with the prices of steel that is being imported?

The Honourable Mr. A. A. Waugh: I have no information about Belgian steel prices but I can make enquiries.

Mr. Manu Subedar: In view of the fact that steel prices are still very high, particularly for civilian building purposes, will not the Honourable Member arrange for a large issue for civilian purposes at special prices for building houses or for the import of light qualities from the Continent. The Honourable Member mentioned the Sterling area but I emphasise the word Continent. Why should we not be permitted to get steel from Belgium as was being supplied to the whole of the Bombay market before the war and why is the advice of the Tata Iron and Steel Co. and the SCOB, who are interested parties, taken by Government against the obvious public convenience of the people of Bombay?

The Honourable Mr. A. A. Waugh: I shall enquire about the Belgian position but I would remind the Honourable Member that the world prices of steel are in general not so low as those of Indian steel.

Sir M. Ananthasayanam Ayyangar: What is SCOB?

The Honourable Mr. A. A. Waugh: Steel Corporation of Bengal

Sri M. Ananthasayanam Ayyangar: May I know from the Honourable Member if even during the war there were large imports of steel from outside India?

The Honourable Mr. A. A. Waugh: Yes, Sir The information is supplied in answer to another question.

Sri M. Ananthasayanam Ayyangar: May I know from the Honourable Member that if there is no sufficient material, it is because owing to lack of coal the rolling mills were not allowed to run and that this shortage could easily be made up?

The Honourable Mr. A. A. Waugh: As I have explained previously, there was no fall in production when the re-rolling mills were stopped temporarily.

Mr. Manu Subedar: Am I to understand from the Honourable Member that Sir Ardeshir Dalal was not at all concerned with the steel position, with the acute shortage of steel for building purposes in India, when he went abroad?

The Honourable Mr. A. A. Waugh: I do not think that that was the purpose of his mission. I may explain for the Honourable Member's information that we employed a special officer, the Steel Import Controller, during the war, and he made every effort to get the kinds of steel required.

Mr. Manu Subedar: Since the war is over is this officer still functioning and has he produced any results?

The Honourable Mr. A. A. Waugh: The post was amalgamated with the post of Steel Controller, who carries on with the same efforts to get imports.

Sri M. Ananthasayanam Ayyangar: May I know if the number of import licenses that have been granted will interfere with the local production of steel?

The Honourable Mr. A. A. Waugh: No, Sir. Licenses are not granted which may interfere with the local production of the same kinds of steel.

RECRUITMENT OF STAFF IN THE G.I.P. RAILWAY

345. *Sri M. Ananthasayanam Ayyangar: Will the Honourable the Railway Member please state:

(a) how recruitment of staff (subordinate) drawing over Rs. 100 per mensem on the Great Indian Peninsular Railway is made, and whether there are any Selection Boards for the purpose;

(b) if the answer to (a) is in the affirmative, whether they are part time or whole time officers; and whether they consider promotions or appointments purely on merit;

(c) whether there are different scales of pay for the Anglo-Indians and Indians for the same post; or whether there are in effect grades to which only Anglo-Indians are, as a rule, promoted and not Indians;

(d) whether any kind of preference is shown to any class of persons in recruitment to subordinate post or gazetted posts; and, if so, what, and the reasons therefor;

(e) whether any preference that may be shown to children or relatives of persons in the Railway service is shown only to certain favoured classes like the Anglo-Indians or the Parsis; and

(f) the number of persons recruited by promotion or direct appointment, during the year 1945 on this Railway; and how many of them were (i) Hindus, (ii) Muslims, (iii) Anglo-Indians and others, for posts drawing Rs. 100 per mensem and over?

The Honourable Sir Edward Benthall: (a) to (f). The Honourable Member is referred to my reply to Starred Question No. 110, asked in the House on 8th February, 1946. Complete information regarding direct recruitment on the G. I. P. Railway to posts carrying a salary of Rs. 100 per mensem and over is not available and is being obtained. It will be laid on the table of the House in due course.

Sri M. Ananthasayanam Ayyangar: Are there selection boards to deal with all classes of appointments?

The Honourable Sir Edward Benthall: With selection posts.

Sri M. Ananthasayanam Ayyangar: May I know if these selection boards are permanent bodies, whether they are also concerned with the question of promotions and with cases where persons who were appointed originally were deprived of their promotions at a later stage and whether the board can also go into the question whether promotions are made regularly and properly and whether its functions are similar to those of the Public Service Commission in safeguarding the rights of the employees?

The Honourable Sir Edward Benthall: I am not quite sure whether they apply to all grades.

RECRUITMENT OF STAFF ON EAST INDIAN RAILWAY

346. *Sri M. Ananthasayanam Ayyangar (on behalf of **Sri R. Venkatasubba Reddiar**): Will the Honourable the Railway Member please state:

(a) how recruitment of staff (subordinate) drawing over Rs. 100 per mensem on the East Indian Railway is made, and whether there are any Selection Boards for the purpose;

(b) if the answer to (a) is in the affirmative, whether they are part time or whole time officers and whether they consider promotions or appointments purely on merit;

(c) whether there are different scales of pay for the Anglo-Indians and Indians for the same post, or whether there are in effect grades to which only Anglo-Indians are, as a rule, promoted and not Indians;

(d) whether any kind of preference is shown to any class of persons in recruitment to subordinate posts or gazetted posts; and, if so, what, and the reasons therefor;

(e) whether any preference that may be shown to children or relatives of persons in the Railway service is shown only to certain favoured classes like the Anglo-Indians; and

(f) the number of persons recruited by promotion or direct appointment, during the year 1945, on this Railway; and how many of them were—(i) Hindus, (ii) Muslims, (iii) Anglo-Indians and others, for posts drawing Rs 100 per mensem and over?

The Honourable Sir Edward Benthall: (a) to (f). The Honourable Member is referred to my reply to his Starred Question No. 110, asked on the 8th February, 1946.

As regards direct recruitment on the E. I. Railway to posts carrying a salary of Rs 100 per mensem and over, the required information is as follows:

Community	*Direct Recruits*
Hindus	111
Muslims	20
Europeans and Anglo-Indians	34
Indian Christians	3
Sikhs	3

Sri M. Ananthasayanam Ayyangar: May I know from the Honourable Member with reference to his answer to part (e) of the question whether there is any discrimination shown as between classes and classes?

The Honourable Sir Edward Benthall: No, Sir. There is a certain preference shown to children and, I think, relatives of all classes of railway servants but it is a limited preference.

Sri M. Ananthasayanam Ayyangar: May I know if there is any written rule that certain classes of individuals or communities shall be shown preference in railway services?

The Honourable Sir Edward Benthall: No, Sir. The only preference is that given under a resolution of 1934, I have forgotten the exact date, which provides for a minimum pay of Rs. 55 to Anglo-Indians in all Government Departments.

Lt.-Col. Dr. J. C. Chatterjee: May I know whether it is not a fact that the educational allowances given to children of Anglo-Indians and Domiciled Europeans on the railways are far larger than those given for the education of children of Indian employees?

The Honourable Sir Edward Benthall: I should require notice of that question.

Sri M. Ananthasayanam Ayyangar: Whose resolution is it that the Honourable Member referred to, of 1934? Is it of the Assembly or of the Government of India?

The Honourable Sir Edward Benthall: It is a resolution of the Government of India in the Home Department.

Mr. Frank R. Anthony: Is the Honourable Member aware that in the matter of education, local authorities such as district boards and municipalities discriminate against the Anglo-Indians and do not provide schools and educational facilities for them?

Mr. President: I do not think that question arises

INCREASE IN PRICES OF CARTRIDGES BY BRITISH FIRMS

347. *Seth Yusuf Abdoola Haroon: (a) Will the Honourable Member for Industries and Supplies be pleased to state if it is a fact that prices of cartridges have been increased by British firms from the 1st January, 1946?

(b) Did Government make any representation to His Majesty's Government to bring down the prices in view of the Government of India's desire to bring down the prices in India? If not, why?

(c) If for any specific reasons Government are unable to interfere with the prices of British firms, what action have Government taken to adjust the Indian prices accordingly?

(d) Is it not a fact that prices of 2¾" cartridges are higher than those of 2½"?

(e) Is it a fact that prices of 2¾" cartridges have not been gazetted?

(f) Is it a fact that an Assistant Controller General of Civil Supplies, Bombay permitted certain firms at Bombay to make higher charge for 2¾" cartridges in accordance with the pre-war practice?

(g) Is it a fact that similar requests sent by the Karachi or Delhi merchants by registered post were either negatived or not replied? If so, why?

(h) If the reply to part (g) is in the negative, are Government prepared to enquire into the allegations against the Controller General's Office at Bombay? If not, why?

The Honourable Mr. A. A. Waugh: (a) Government have seen a report that one British firm has raised prices from 1st January, but have no information as to other firms.

(b) No.

(c) So far, Government have no evidence that there has been a general rise in the prices of British firms on which they could take action.

(d) Government have not sufficient material to say definitely whether or not the prices of 2¾" cartridges are higher than those of 2½" cartridges

(e) Notification No. 1/2(94)/45-CG (CS), dated the 8th September, 1945, issued by the Department of Industries and Civil Supplies under Section 3 of the Hoarding and Profiteering Prevention Ordinance covers all sizes of cartridges.

(f) Yes; but this appears to have been done under misapprehension.

(g) One request was received from a Delhi merchant, and was negatived because Notification No. 1/2(94)/45-CG(CS), dated the 8th September 1945, as it stands covers cartridges of non-standard sizes. A review of this Notification is now under consideration, since it is perhaps now necessary to fix prices on a different basis for non-standard size cartridges.

(h) Does not arise.

Seth Yusuf Abdoola Haroon: May I know what action it is proposed to take against the firm who raised the prices in Delhi, with reference to part (a) of the question?

The Honourable Mr. A. A. Waugh: This is a British firm: we cannot take any action against British firms.

Seth Yusuf Abdoola Haroon: May I know why he discriminates between British and Indian firms?

The Honourable Mr. A. A. Waugh: I might explain: the particular notice referred to was received from a firm in England who notified an increase in the shilling prices of cartridges.

Sri M. Ananthasayanam Ayyangar: May I know if cartridges are allowed to be manufactured by private firms in this country?

The Honourable Mr. A. A. Waugh: I must ask for notice. I am not aware whether there is any manufacture in India.

Seth Yusuf Abdoola Haroon: With regard to part (g) may I know how long it will take for the Government to decide the matter?

The Honourable Mr. A. A. Waugh: I am grateful to the Honourable Member for having raised this question; and as soon as we can get definite evidence of what the prices are now, we shall revise the notification.

ICE AND AERATED WATER CONTRACTS ON NORTH WESTERN RAILWAY

348. *Mr. Tamizuddin Khan: (a) Will the Honourable the Railway Member be pleased to state if it is a fact that ice and aerated water contracts on the North Western Railway used to be granted to only those who were professional contractors and owners of aerated water factories?

(b) Who are the contractors on the North Western Railway for supplying aerated water and are they professional contractors?

(c) Is it a fact that contractors who were appointed for supplying aerated water on platforms and in running trains of section E of the North Western Railway did not own any aerated water factory at the time when the contract was given to them, i.e., on the 23rd December 1944?

(d) If reply to (c) is in the affirmative, why was this breach of practice and customary rules on this Railway effected in this individual instance?

The Honourable Sir Edward Benthall: (a) Contracts are granted to manufacturers of mineral waters who possess suitable aerated water factories, and are, otherwise, considered suitable for the work.

(b) (i) Messrs. Kanshi Ram Khosla & Madan Mohan of Lahore.

(ii) Messrs. Syed A. & M. Wazir Ali of Lahore.

(iii) Messrs Teplitz Aerated Water Company of Lahore.

(iv) Messrs. Bliss & Co. of Karachi.

These contractors comply with the conditions for grant of Ice and Aerated Water Contracts

(c) No.

(d) Does not arise.

Mr. Muhammad Nauman: Is it a fact that Mr. Khosla was a member of the Local Advisory Committee and used his influence to get this contract and that he was not the owner of any aerated water factory at that time?

The Honourable Sir Edward Benthall: He was a member of the Local Advisory Committee but I am not aware that he used any influence. The third part of the question is not correct.

Mr. Muhammad Nauman: He owned no factory whatsoever and he was not doing this as his profession ever in his life.

The Honourable Sir Edward Benthall: That is incorrect.

Mr. Muhammad Nauman: Was a public agitation started last year and has the Honourable Member information of that? Were any inquiries made at that time?

The Honourable Sir Edward Benthall: Yes; the matter lies within the competence of the General Manager; but when these public representations were made last year, I personally looked into the matter very carefully, sent for the original papers and came to the conclusion that there was no reason to interfere with the discretion of the General Manager.

Mr. Muhammad Nauman: Was it pointed out that he made this [illegible] tion, that he owned a factory at that time when he asked for that contract?

The Honourable Sir Edward Benthall: That, Sir, is incorrect.

Mr. Manu Subedar: What is the general policy of Government in the matter of giving out these contracts for catering and are Government aware that the money which they take from the contractor for the privilege of supplying certain things is recouped by him from the public and the public have to pay a higher price?

The Honourable Sir Edward Benthall: This is not a contract for catering.

Mr. Manu Subedar: Do I take it that the prices for aerated waters served to the passengers on railways are exactly the prices at which these aerated waters could be secured outside?

The Honourable Sir Edward Benthall: I should require notice of that; but the prices are regulated.

Mr. Manu Subedar: Was no premium paid at all on this occasion for the privilege of catering?

The Honourable Sir Edward Benthall: Yes; but I should require notice of it to give the figures.

Mr. Manu Subedar: I do not want the figures. I want to know the policy. Why is it that the railway administrations try to make money on things which ultimately the public pays and which does not increase but reduces the conveniences of the travelling public?

The Honourable Sir Edward Benthall: The Government does not necessarily accept the highest tender in these matters; they accept the highest tender from the man best calculated to serve the public.

Mr. Manu Subedar: Do Government see that the prices charged to the passengers for aerated waters are not higher than the prices at which such aerated waters can be secured outside?

The Honourable Sir Edward Benthall: Yes, it is laid down that a licensee shall supply ice and aerated waters to passengers at scheduled rates.

Sri M. Ananthasayanam Ayyangar: What steps are being taken to see that good and decent water is supplied in the aerated waters? Are they inspected from time to time?

The Honourable Sir Edward Benthall: Yes.

Sri M. Ananthasayanam Ayyangar: By whom?

The Honourable Sir Edward Benthall: I would require notice of that.

Sir Muhammad Yamin Khan: Is the Honourable Member aware that the papers concerning this case of Messrs. Khosla were given to him and the evidence and certified copies from Ambala showed that this man never owned a factory and that such papers were really a forgery.

Mr. Muhammad Nauman: A clear case of forgery!

Mr. President: Order, order.

The Honourable Sir Edward Benthall: No; that was the allegation; but the fact of the matter was that the firm in question had control of another factory in Dehra Dun and sufficient control over that factory in question in Ambala to assume control of it when they wanted to.

Sir Muhammad Yamin Khan: May I know that this was a case against an officer of the N. W. R. who had retired and gone to England, that he was involved in this case very badly and that is why the whole of the N. W. R. people were trying to shield and shelve this matter?

The Honourable Sir Edward Benthall: The officer who inspected the factory at Ambala was a certain Muhammad Ibrahim, Senior Assistant Commercial

Officer, who was in no way connected with the officer who retired.

Mr. Manu Subedar: In view of these constant complaints will the Government consider—I do not want an assurance at once—that this sort of thing should be done departmentally instead of being farmed out to the inconvenience of the passengers?

The Honourable Sir Edward Benthall: Yes; the matter has been under consideration and I will consider it again.

Mr. Muhammad Nauman: Will the Honourable Member consider the termination of this contract immediately in view of the facts revealed in this House?

The Honourable Sir Edward Benthall: No; as I have said, I went very carefully into it and came to the conclusion, after a very careful study of all the facts, that we have no reason to interfere with the competence of the General Manager; the firm in question are, I think, giving reasonable satisfaction, at least as good as some of the other contractors.

COMPLAINTS AGAINST CONTRACTORS OF AERATED WATER SUPPLY ON E SECTION OF N. W. RAILWAY

349. *Mr. Tamizuddin Khan: (a) Will the Honourable the Railway Member be pleased to state how many complaints were registered and sent to the North Western Railway Office, about the faulty supply of aerated water against the present contractors of Section E of the North Western Railway?

(b) What is the summary of the complaints received during summer of 1945 against the Contractors of the E Section of the North Western Railway and the report of the action taken by the North Western Railway on such complaints?

(c) If the replies to (a) and (b) are that complaints were received, do Government propose to change them by a new one? If not, why not?

The Honourable Sir Edward Benthall: (a) and (b). Full information is not readily available, it is being collected and will be placed on the table of the House in due course.

(c) No. On the information available the work of the contractors has been, on the whole, satisfactory.

Mr. Muhammad Nauman: Is the Honourable Member aware that the contractor has been fined a few times to the maximum limit of one hundred rupees, which should have terminated his contract automatically but for certain favours which have been showered by him?

The Honourable Sir Edward Benthall: Yes, Sir. Three penalties have been imposed under the agreement.

Sir Muhammad Yamin Khan: Is this the same Mr. Khosla who was mentioned in connection with the previous question?

The Honourable Sir Edward Benthall: It is the same firm and I have just explained that these penalties were imposed as a result of inspection.

Mr. Muhammad Nauman: May I know whether on inspection the aerated water was found medically unsuitable for human consumption?

The Honourable Sir Edward Benthall: A certain amount of sediment was found, I think, in some of the bottles.

Mr. Muhammad Nauman: How many times were they inspected?

The Honourable Sir Edward Benthall: I should require notice of that.

NEW INDUSTRIES DURING WAR IN INDIA

350. *Mr. Vadilal Lallubhai: Will the Honourable Member for Industries and Supplies be pleased to lay on the table of the House a statement as to:

(i) what new industries came into being in India during the war time;

(ii) their total capital outlay and production;

(iii) Government attitude towards them, and whether the respective interests were consulted by Government when these industries were started; and

(iv) whether Government chalked out any fixed policy regarding the future of the war time industries; if so, what is its exact nature?

The Honourable Mr. A. A. Waugh: (i) and (ii). A statement of industries which came into existence during the war and figures of production which are available is placed on the table. The list is not exhaustive. Information relating to capital outlay is not available.

(iii) and (iv). The attention of the Honourable Member is invited to the Press Communique issued by Government on the 14th August 1945, a copy of which is placed on the table. I would also refer the Honourable Member to the "Statement of Government's Industrial Policy" published by the Planning and Development Department, copies of which are available in the Library of the House, and to the Government of India, Department of Commerce Resolution No. 218-T-55/45, dated the 3rd November 1945, constituting a Tariff Board, a copy of which is also placed on the table.

The new industries were started by private enterprise in consultation with Government.

Industries which came into being during the war and figures of production

Industry	Production per annum approximate
1. ALKALI Industry—	
Caustic Soda	4,500 tons
Bleaching Powder	7,500 ,,
Liquid Chlorine	1,800 ,,
2. Soda ash and Sodium Bicarbonate	7,500 & 1,500 tons respectively.
3. Potassium Chlorate	1,600 tons.
4. Sodium Sulphate	3,000 ,,
5. Bichromates	5,000 ,,
6. Chromic acid	100 ,,
7. Fine Chemicals—	
Aceton	800 ,,
Oxalic Acid	100 ,,
8. Miscellaneous Chemicals—	
Sodium Thiosulphate	1,000 ,,
Sodium Sulphite	500 ,,
Chlorosulphonic Acid	25 ,,
Zinc Chloride	1,000 ,,
Calcium Chloride	1,000 ,,
Barrium Chloride	100 ,,
Lead Acetate	200 ,,
9. Waterproofing Compound	200 ,,
10. Refining of non-ferrous scrap White Metal	Total output not known.
11. Lead Pipes	350 ,,
12. Aluminium	1,500 ,,
13. Water Fittings	100,000 Numbers.
14. extile Machinery Looms and spindles	Total output not known.
15. Electrical Accessories—	
Black Adhesive tapes	40 tons.
Conduit Pipes and 'D' class signalling cables	Total output not known.
16. Pressure oil lamps	36,000 Numbers.
17. Stoves	60,000 ,,
18. Scientific Instruments	Total output not known.
19. Grinding wheels	310 tons.

NOTE:—The list is not exhaustive.

Press Note, dated 14th August 1945

There is some natural anxiety among producers and manufacturers that the end of the war and the cancellation of orders for war supplies may mean the end of the assistance which they have had from Government in obtaining materials and other resources, and with transport, for the production of war supplies. Government wish, therefore, to reassure producers and manufacturers that, so long as the various Controls remain in force, they will endeavour to give assistance for the production of civil supplies in the same way as previously of war supplies, by provisioning and allocating essential materials, such as coal, steel, cement and timber, procuring capital equipment and tools, obtaining transport priority, etc. Government have instructed the Directorates in the Department of Supply that such assistance must continue, for the restoration of industry, its conversion from war to peace, and for its expansion. Producers and manufacturers should, therefore, apply to the appropriate Directorate for the assistance they require, in order to get their shares in the allocation of available materials, etc.

For the procurement of stores to meet post-war Government requirements, the policy of Government is to make the greatest possible use of indigenous production, and particularly of those industries which have, under the influence of war needs, achieved production conforming to acceptable standards and specifications. While commodities paid for from the public purse must in general be the best that can be produced at the price, it is the aim of Government to establish continuity of procurement from industries which maintain a consistent performance, and which pay attention to new modifications and developments. To this end Government will assist with technologists and training, where welcomed, or in procuring technical knowledge and assistance.

DEPARTMENT OF COMMERCE

RESOLUTION

TARIFFS

New Delhi, the 3rd November 1945

No. 218-T (55)/45.—In the statement on industrial policy issued by the Government of India on the 23rd April 1945, it was announced that, pending the formulation of a tariff policy appropriate to the postwar needs and conditions of the country and the establishment of permanent machinery for the purpose, Government would set up machinery for investigating claims from industries, which have been started or developed in war time and which are established on sound lines, to assistance or protection during the transition period. A press communiqué issued on the same date invited industries to address their claims to the Secretary to the Government of India in the Department of Commerce.

2 Several industries have accordingly applied for assistance or protection, and on a preliminary examination of their claims, the Government of India have come to the conclusion that applications submitted by the following industries call for a detailed examination :—

(i) non-ferrous metals, including antimony;
(ii) grinding wheels;
(iii) caustic soda and bleaching powder;
(iv) sodium thiosulphate, sodium sulphate anhydrous, sodium bisulphite;
(v) phosphates and phosphoric acid;
(vi) butter colour, aerated water powder colour;
(vii) rubber manufactures;
(viii) fire hose;
(ix) wood screws;
(x) steel hoops for bailing.

Other applications are under the consideration of Government, and further action in their case will be taken in due course.

3 In addition to the industries which have applied for assistance or protection, there are certain industries the starting of which was considered essential by the Government of India under conditions created by the war. Early in 1940, Government announced that specified industries promoted with their direct encouragement during war-time might feel assured that, if they were conducted on sound business lines, they would, by such measures as Government might devise, be protected against unfair competition from outside India. In accordance with this decision, the following industries have been given an assurance of protection against unfair competition after the war :—

(i) bichromates;
(ii) steel pipes and tubes up to a nominal bore of 4 inches;
(iii) aluminium;
(iv) calcium chloride;
(v) calcium carbide;
(vi) starch.

Of these industries, only those engaged in the manufacture of bichromates, calcium chloride and starch have so far applied for assistance or protection during the transition period. The Government of India consider that the applications submitted by these three industries also call for immediate investigation.

4. For the purpose of these and any subsequent investigations, the Government of India have decided to set up a Tariff Board for a period not exceeding two years, in the first instance. The Board will consist of :—

President

Sir R. K. Shanmukham Chetty, K.C.I.E.

Members

Mr. C. C. Desai, C.I.E., I.C.S.

Prof. H. L. Dey, D.Sc. (London).

The Board will include one more Member whose name will be announced shortly. Mr. Desai will act as Secretary to the Board in addition to his duties as Member.

5. The Tariff Board is requested to undertake, in such order as it thinks fit, the investigation of claims put forward by the industries specified in paragraphs 2 and 3 above. In the case of each industry the Board will, after such examination as it considers necessary, report whether the industry satisfies the following conditions :—

(1) that it is established and conducted on sound business lines; and

(2) (a) that, having regard to the natural or economic advantages enjoyed by the industry and its actual or probable costs, it is likely within a reasonable time to develop sufficiently to be able to carry on successfully without protection or State assistance; or

(b) that it is an industry to which it is desirable in the national interest to grant protection or assistance and that the probable cost of such protection or assistance to the community is not excessive. Where a claim to protection or assistance is found to be established i.e., if condition (1) and condition (2) (a) or (b) are satisfied, the Board will recommend—

(i) whether, at what rate and in respect of what articles, or class or description of articles, a protective duty should be imposed;

(ii) what additional or alternative measures should be taken to protect or assist the industry; and

(iii) for what period, not exceeding three years, the tariff or other measures recommended should remain in force.

In making its recommendations the Board will give due weight to the interests of consumer in the light of the prevailing conditions and also consider how the recommendations affect industries using the articles in respect of which protection is to be granted. Since relief, to be effective, should be afforded without delay, the Board is requested to complete its enquiries with all possible expedition and to submit a report as soon as the investigation of the claim of each industry is concluded.

6. The headquarters of the Board will be at Bombay, but it will visit such other places as it thinks necessary for purposes of its enquiries. Firms and persons interested in any of these industries, or in industries dependent on the use of the products of these industries, who desire that their views should be considered, should address their representations to the Secretary to the Board.

7. Any claims hereafter received from other industries which in the opinion of the Government of India are suitable for examination by the Board will be referred to the Board in due course for examination.

8. The Government of India trust that Provincial Governments and Administrations will afford the Board all the assistance which it may require and will comply with any request for information which may be addressed to them by it.

ORDER

ORDERED that a copy of this Resolution be communicated to all Provincial Governments, all Chief Commissioners, the several Departments of the Government of India, the Political Department, the Private and Military Secretaries to His Excellency the Viceroy, the Central Board of Revenue, the Auditor General, the High Commissioner for India in London, the Economic Adviser to the Government of India, the Director of Commercial Intelligence, Calcutta, the Indian Trade Commissioner, London, the Indian Government Trade Commissioners at New York, Buenos Aires, Toronto, Alexandria, Mombasa, Tehran and Sydney, His Majesty's Trade Commissioner in India, the American Consulate General, Calcutta, the Canadian Trade Commissioner in India, the Australian Trade Commissioner in India, the Secretary, Tariff Board, Bombay and all the recognised Chambers of Commerce and Associations.

ORDERED that a copy be communicated to the Government of Burma.

ORDERED also that it be published in the *Gazette of India*.

N. R. PILLAI, Secy.

Mr. Vadilal Lallubhai: Is it a fact that the chemical manufacturers and ıe industry were not consulted when the plants for sulphuric acid and caustic da were distributed to the various parties?

The Honourable Mr. A. A. Waugh: I must ask for notice.

Prof. N. G. Ranga: May I know whether any assurances were given when ıoney was put in these industries?

The Honourable Mr. A. A. Waugh: In certain cases an assurance of pro-ction was given.

Mr. Vadilal Lallubhai: Will the Honourable Member give the names of the arties to whom the plants were distributed, for sulphuric acid and caustic da?

The Honourable Mr. A. A. Waugh: I can find out if the Honourable ember wishes. I have not got the information with me.

Prof. N. G. Ranga: Will the Honourable Member ascertain the facts and lace them on the table as to in what cases such assurances have been ven?

The Honourable Mr. A. A. Waugh: Yes, Sir.

Sri M. Ananthasayanam Ayyangar: How many of these industries could be ıid to have been started for war purposes and how many of them for ordinary ıvil needs in peace time?

The Honourable Mr. A. A. Waugh: Practically all of them.

Mr. Manu Subedar: Will the Honourable Member make an inquiry and nd out how many of them are now functioning fully and how many are artially functioning and how many have stopped in order to enable Govern-ıent themselves to carry out the various assurances he mentioned? Will he lease make an inquiry?

The Honourable Mr. A. A. Waugh: I can make an inquiry about any pecific industry which the Honourable Member has reason to think is suffer-ıg from unemployment, but so far as my information goes they are practi-ally all working fully.

Sri M. Ananthasayanam Ayyangar: How many of these new industries ere started by Government and how many by private enterprise?

The Honourable Mr. A. A. Waugh: They were all started by private enter-rise with encouragement from Government.

Sri M. Ananthasayanam Ayyangar: May I know whether the Central Gov-rnment or the Provincial Governments started any industries directly?

The Honourable Mr. A. A. Waugh: I cannot say for the Provincial Govern-nents but the Central Government did not start new industries and run them hemselves.

Sri M. Ananthasayanam Ayyangar: Is it a fact that in the various ordnance actories various articles were produced both for war purposes and also for ther than actual field purposes?

The Honourable Mr. A. A. Waugh: The ordnance factories produced new ypes of munitions and armaments and they also produced civil goods, parti-ularly for the Railways.

Sri M. Ananthasayanam Ayyangar: How are those originally engaged in the roduction of munitions, etc., and now no longer producing them, now witched on to other industries? Is it a fact that some of them have been losed?

The Honourable Mr. A. A. Waugh: So far as my information goes, none of hem has been closed.

Sri M. Ananthasayanam Ayyangar: May I draw the Honourable Member's attention to one ordnance factory which was making bombs. Now that bombs are not useful, except for throwing them on the civilian population of this country, what use is made of such a factory?

The Honourable Mr. A. A. Waugh: That factory is making steel castings, which are very scarce at present.

Prof. N. G. Ranga: In regard to these ordnance factories where many commodities were made for the army, what steps are being taken to see that these factories are kept going in order of produce consumer goods for the day to day human needs?

The Honourable Mr. A. A. Waugh: They are producing civilian goods and I have received no complaints.

SHIFTING OF PATNA DEAD LETTER OFFICE

351. ***Mr. Madandhari Singh:** Will the Secretary for Posts and Air be pleased to state if it is a fact that the Dead Letter Office stationed at Patna (Bihar) has been shifted to some other place? If so, why?

Sir Gurunath Bewoor: The Dead Letter Office, Calcutta, was temporarily moved to Patna on account of conditions created by the war but has now been moved back to its original location.

The question of opening a separate Dead Letter Office at Patna is, however, now being pursued.

Lt.-Col. Dr. J. C. Chatterjee: Is it a fact that the number of dead letters is increasing so vastly that they are now almost more than live letters and because of that the selection of a second place for a dead letter office is being considered?

Sir Gurunath Bewoor: The answer to the first part is in the negative. As regards the second part, it is merely a matter of administrative convenience.

Mr. Muhammad Nauman: In view of the housing difficulties in Calcutta, why was it considered necessary to shift this office from Patna to Calcutta, although there were facilities in Patna?

Sir Gurunath Bewoor: The Dead Letter Office was stopped by people who belonged to Calcutta and it was moved from Calcutta because of the danger of bombing by the enemy. When that danger passed, the office was moved back to Calcutta, the staff being mostly residents of Calcutta. It is not a fact that they were properly housed and fed in Patna. They were suffering great difficulties both as regards housing and office accommodation.

Lt.-Col. Dr. J. C. Chatterjee: Were the dead letters considered so precious that bombing would have done them harm?

Sir Gurunath Bewoor: The staff also would have suffered.

CONTROL OF TELEPRINTER LINES FROM ALLAHABAD TO JUBBULPORE

352. ***Shri Satya Narayan Sinha** (on behalf of **Seth Govind Das**): Will the Secretary for Posts and Air be pleased to state:

(a) whether he is aware of the fact that there are about seven or eight teleprinter lines from Allahabad to Jubbulpore and that these are under Military control;

(b) whether of late only four or five of these lines are being used by the military and the rest have been given up by them;

(c) whether the lines which have been given up are shortly to be dismantled; and

(d) whether he is prepared to divert these lines to civilian use by handing them over to news agencies who at present have the teleprinter lines at other places?

Sir Gurunath Bewoor: (a) and (b). At present out of six telegraph circuits recently provided between Allahabad and Jubbulpore, one is available for the use of the Posts and Telegraphs Department, the remainder being military. None have been given up by the military.

(c) Does not arise.

(d) When applications are received for the use of these circuits for other purposes, Government will consider the matter.

Sri M. Ananthasayanam Ayyangar: How many of these circuits are likely to be released in the whole of India from the Military Department in the near future?

Sir Gurunath Bewoor: This question relates to circuits between Allahabad and Jubbulpore. There are numerous circuits all over India and the Military are releasing them as and when they are no longer required.

Sri M. Ananthasayanam Ayyangar: What does the Department propose doing with the released sets?

Sir Gurunath Bewoor: They will be used for the handling of public traffic.

Seth Yusuf Abdoola Haroon: Is it a fact that some circuits which have been released by the American authorities have been transferred to the British military authorities?

Sir Gurunath Bewoor: I have no information at all. I do not know if the Americans had any circuits. If they had, they would have taken it from the Posts and Telegraphs Department.

Seth Yusuf Abdoola Haroon: They had it from the Posts and Telegraphs Department and instead of being transferred to civilian use, they are being taken over by the military authorities. Will the Honourable Member look into the case?

Sir Gurunath Bewoor: I will look into the matter. I have no information.

HANDICAP TO C. P. & CENTRAL INDIA IN SUPPLY OF NEWS

353. *Shri Satya Narayan Sinha (on behalf of **Seth Govind Das**): Will the Secretary for Posts and Air please state:

(a) whether Government are aware that the Central Provinces and Berar and the Central India are suffering from a handicap in the prompt supply of news;

(b) whether Government are aware that due to the lack of teleprinter service the newspapers of these Provinces cannot stand competition with the newspapers of other Provinces surrounding them, *viz.*, Madras, Bombay, Calcutta, Allahabad and Delhi;

(c) whether all the Provinces and territories in the country are entitled to the same facilities and amenities which are available for only few at present;

(d) what steps Government propose to take to remove these handicaps, and within what time, and

(e) the reasons for their having neglected the matter so far?

Sir Gurunath Bewoor: (a) and (e). Government do not admit any neglect as alleged. Hitherto the only application received for improved facilities for the supply of news in the Central Provinces and Berar was from a news agency asking for a teleprinter channel between Bombay and Nagpur, which is not yet available.

(b) Government have no information.

(c) and (d) When applications are received for such facilities, they will be given due consideration with reference to the facilities available.

LICENSING OF COOLIES ON RAILWAY STATIONS

354. *Seth Govind Das: (a) Will the Honourable the Railway Member be pleased to state if it is a fact that Railway Authorities have now decided to introduce contract system for the licensed coolies on Railway stations by giving them supervision to contractors? If so, why?

(b) Is there any particular set of rules, under this contract system, which prescribe for the licensed coolies on Railway stations, the rates of their admission fee, their daily or monthly subscription and their charges from the travelling passengers?

The Honourable Sir Edward Benthall: (a) No. The system of supervision of licensed coolies by contractors is a very old one and has been in force at many railway stations for a long time.

(b) The rules governing the contract system for licensed coolies are prescribed by individual Railway Administrations and are included in the agreements with the contractors. These rules vary in detail on different Railways.

Mr. Muhammad Nauman: Is it a fact that these contractors are mostly retired railway officers, that they charge more and squeeze more money out of these coolies than what they are expected to take under the agreement?

The Honourable Sir Edward Benthall: I do not think that is the case.

Mr. Muhammad Nauman: As a large number of complaints have been received, will the Honourable Member make enquiries?

The Honourable Sir Edward Benthall: A certain number of complaints have been received, but not on that particular point.

Mr. Manu Subedar: May I know if Government will overhaul the whole system and remove the contractors? Why is it found necessary to interpose the contractors who rob the poor workers on the one hand and impose a larger burden on those of us who have to travel by making us pay more than we should.

The Honourable Sir Edward Benthall: One of the reasons is that the poor workers referred to are often accused of robbing the public and the contractor is there to intervene between the public and the railway administration. I should like to add that I rather welcome this question, it brings the question to my notice and I am glad to have the opportunity of looking into the whole question.

Lt.-Col. Dr. J. C. Chatterjee: Is it a fact that at the Delhi Railway station, the cooly has to pay at least four annas . . . . .

Srejut Rohini Kumar Choudhuri: Sir, may I point out that the view has often been expressed that the term 'cooly' is unparliamentary? That is not allowed in Assam Legislative Assembly.

Lt.-Col. Dr. J. C. Chatterjee: Then, I shall use the word 'gentlemen'. Is it a fact that these gentlemen who are kind enough to carry luggage at the railway stations are recruited by contractors and at the Delhi Railway station they are forced to pay four annas a day out of their earnings to the contractors?

The Honourable Sir Edward Benthall: No, Sir. These gentlemen who are privileged to carry luggage are paying in certain railways two annas per day to the contractor, and of course, the contractor in his turn has to provide them with uniforms, badges, buckles, etc.

Lt.-Col. Dr. J. C. Chatterjee: Will the Honourable Member therefore enquire whether at the Delhi station, it is not two annas but four annas and even more is given to the contractor, because these gentlemen have always to pay a great deal more for the use of handcarts?

The Honourable Sir Edward Benthall: I do not think it is profitable to examine this question further in detail on the floor of the House because as I have said, I welcome the opportunity to go into it both from the point of view of the system as a whole and also with the object of introducing uniformity throughout the railways and finally with the object of seeing whether it will assist in providing more direct employment to the existing railway employees.

Sjt. N. V. Gadgil: Is the Honourable Member aware of the fact that because of this introduction of contract system, in Kalyan, Dadar and Poona stations, the coolies have gone on strike for the last six weeks?

The Honourable Sir Edward Benthall: Yes, Sir.

Sjt. N. V. Gadgil: Does the Honourable Member propose to do anything in the matter?

The Honourable Sir Edward Benthall: I have been looking into it. I propose looking into it further.

ADULTERATED FOOD SUPPLY TO RAILWAY EMPLOYEES OF DINAPUR SECTION

355. *Choudhury Md. Abid Hussain: (a) Will the Honourable the Railway Member be pleased to state if he is aware of the fact that a large number of Railway employees of the Dinapur Section, East Indian Railway, is suffering

from different diseases owing to the adulterated food supplied to them by the Railway Grain Shops?

(b) Is he aware that about a thousand Railway employees of that section died out of those diseases? If so, will he please give the exact figure of deaths?

(c) Have Government made any enquiry about it and taken any measures to improve the condition? If not, why not?

The Honourable Sir Edward Benthall: (a) The actual facts are that early in November 1945, there was an outbreak of epidemic dropsy in Dinapore Section, East Indian Railway, which, on enquiry was attributed to the existence of a percentage of Argemone oil in the mustard oil sold. A sample of the oil had been previously examined at the Patna Public Health Laboratory and the matter is still under investigation.

(b) No. Government are informed that upto 1st December 1945, eleven deaths took place, eight at Jhajha and three at Dinapore.

(c) The reply to the first portion is in the affirmative; the latter portion does not arise.

Mr. Muhammad Nauman: May I know if these eleven cases of deaths include the children of the families of the employees who have died?

The Honourable Sir Edward Benthall: I think it is eleven *in toto*, but I will enquire into it.

Mr. Muhammad Nauman: Is it possible that these eleven are only employees who died, but that probably more members belonging to the families of these employees died, probably more than 30 died?

The Honourable Sir Edward Benthall: It is quite possible. The answer I have here certainly refers to employees.

Mr. Muhammad Nauman: What action do Government propose to take against the contractor who has supplied this oil?

The Honourable Sir Edward Benthall: The oil was supplied by the Behar Government and was supposed to have been examined in the Patna laboratory and certified free from injurious matter but it appeared later on that it was contaminated to the extent of causing death.

Mr. Muhammad Nauman: Will the Government prosecute the officials if the oil was supplied by Government?

The Honourable Sir Edward Benthall: That is still under investigation.

Sri M. Ananthasayanam Ayyangar: In view of the fact that nearly ten crores worth of provisions are being purchased and distributed to railway servants every year, may I know what steps are being taken, in view of this experience, to inspect these articles and find out whether they are in a fit condition to be eaten?

The Honourable Sir Edward Benthall: Inspection does take place of all articles and where necessary, they are cleaned and made fit for consumption. In this particular case, as I have explained it was also examined by the Patna laboratory.

Sri M. Ananthasayanam Ayyangar: Is there any special Health Officer to inspect these foodgrains from time to time in various sections?

The Honourable Sir Edward Benthall: Medical officers of railways.

Sri M. Ananthasayanam Ayyangar: What special qualifications do Medical officers of railways have to inspect the quality of foodgrains and provisions?

The Honourable Sir Edward Benthall: Ordinary inspection by the foodgrain establishment of railway staff, in addition. But in all these cases, we have to rely on the quality of foodgrains supplied to us by provincial Governments.

Sri Mohan Lal Saksena: Was any compensation paid to the dependants of the deceased?

The Honourable Sir Edward Benthall: I want notice. But all these men who were affected by this particular consignment were treated as if they were on extraordinary leave with pay. I cannot tell you what compensation was paid to the dependants of those who died.

INADEQUATE RATES OF DEARNESS AND WAR ALLOWANCES IN POSTS AND TELEGRAPHS DEPARTMENT

356. *Choudhury Md. Abid Hussain: (a) Will the Secretary for Posts and Air be pleased to state the percentage rate of dearness and war allowances sanctioned to the non-gazetted staff in the Posts and Telegraphs Department in India?

(b) Are Government aware of the fact that there is great discontent among the staff owing to this meagre relief? Do Government propose to consider the matter and revise the present rates of the allowances? If not, why not?

(c) Do Government propose to revise the existing scale of pay? If not, why not?

Sir Gurunath Bewoor: (a) A statement containing the information is placed on the table of the House.

(b) Government are aware of demands for an increase in the rates and the question is under examination.

(c) As the House is aware, Government intend to appoint a commission to examine the whole question of the scales of wages of all Central Government servants and allied matters.

Statement showing percentages on basic pay (revised scale) of war allowance or dearness allowance including good conduct pay granted to non-gazetted staff in Indian Posts and Telegraphs Department

Classes of Officials	Percentage of dearness allowance including Good Conduct Pay or War allowance
1. Boy peons etc.	From 263 % to 177 %
2. Runners	,, 225 % to 124 %
3. Packers, Porters etc.	,, 169 % to 131 %
4. Daftries, Jamadars etc.	,, 135 % to 88 %
5. Postmen etc.	,, 117 % to 72 %
6. Head Postmen etc.	,, 77 % to 38 %
7. Carpenters, Painters etc.	,, 131 % to 58 %
8. Mistries etc.	,, 70 % to 24 %
9. Conservancy Inspectors etc.	,, 73 % to 35 %
10. Clerks, Sorters etc.	,, 62 % to 22 %
11. Sub-Inspectors	,, 77 % to 25 %
12. Line Inspectors	,, 30 % to 22 %
13. Telegraphists	,, 60 % to 23 %
14. Supervisors	,, 34 % to 17½ %
15. Wireless Operators	,, 45 % to 17½ %
16. Assistant Firemen etc.	,, 27 % to 17½ %
17. Telegraph-Master 18. Foremen 19. Selection Grades	,, 17½ % (Not entitled to good conduct pay.)

Mr. Manu Subedar: May I enquire whether in view of the present distress both in quality and quantity of foodgrains and in the high price of the same, something immediately will not be done as suggested in part (b) of the question in order to give relief to this class of people?

Sir Gurunath Bewoor: I have said that the matter is under examination.

Mr. Manu Subedar: Will the examination be completed before the threatened distress of famine arises in this country?

Sir Gurunath Bewoor: I have stated that the matter is under active consideration and examination. The Honourable Member is aware that I have been dealing with this matter during the last ten or fifteen days. It is not a simple matter. It is not easy straightaway to come to a final decision. All I can say is that it is under active consideration and I will see that a decision is arrived at and communicated as soon as possible.

Mr. Manu Subedar: Will the Honourable Member give an assurance that relief will reach these people in a matter of weeks from now?

Sir Gurunath Bewoor: I will do it as soon as possible. I cannot give any assurance of a definite date.

Seth Yusuf Abdoola Haroon: May I draw the attention of the Honourable Member to the notice of a strike given by the employees urging that if dearness allowance is not paid, they will go on strike from 1st March.

Sir Gurunath Bewoor: I have mentioned that certain notices have been given and we hope to be able to give a reply to these people as soon as possible.

Seth Yusuf Abdoola Haroon: Will it be before 1st March, that is before they go on strike?

Sir Gurunath Bewoor: I am afraid I cannot agree that under threat of a strike, Government must come to a decision. I think it is extremely undesirable in the present critical state of the country to encourage any such move. I have said that the matter is under active consideration and every effort will be made to give such relief as Government consider justifiable. But if any relief is given under a threat, I think it would be an extremely unwise decision.

Mr. Manu Subedar: May I know whether Government will leave aside the question of prestige in relation to so-called threats, and merely think of the very acute distress to this particular class of employees, who have to bring up their families—sons and daughters—on a meagre salary?

Sir Gurunath Bewoor: Yes, Sir I entirely agree with the Honourable Member.

Seth Yusuf Abdoola Haroon: Is it a fact that these notices have been given four months back and since the last four months, this matter has been under consideration of the Honourable Member?

Sir Gurunath Bewoor: We have received representations from time to time, but if the Honourable Member is referring to the threat of a strike, I mentioned in this House when the Honourable Member was not present here that the only notice we received so far was from the All India Postmen and Lower Grade Staff Union.

Sri Mohan Lal Saksena: What action was taken on these repeated representations?

Sir Gurunath Bewoor: They were all considered and various replies were given, and such relief as could be given was given from time to time and in the case of such demands as were considered unjustified, the Unions were told that they were not considered justified.

Sjt. N. V. Gadgil: Will the Honourable Member consider this matter as if it is an express communication under the express delivery or like a telegraphic message?

Sir Gurunath Bewoor: Yes, Sir

(*b*) WRITTEN ANSWERS

MANUFACTURE OF BOILERS FOR RAILWAYS AND WORKSHOPS IN INDIA

357. *Sri M. Ananthasayanam Ayyangar: Will the Honourable the Railway Member be pleased to state:

(a) how many boilers for Railway engines and workshops have been manufactured in India during the past year, how many have been supplied to Railways, and how many were imported from abroad last year from the United Kingdom and from the United States;

(b) if any boilers, engines or wagons have been brought into this country by way of lend-lease from America during the period of the war; if so, how many under each head;

(c) if any attempt has been made to place orders in America for some more of the above stock, pending the production of similar articles in India by indigenous industry; and

(d) the relative hauling capacity of the biggest locomotives brought out to India from America on lend-lease or otherwise, and how it compares with other locomotives engaged on the same type of work so far in India?

The Honourable Sir Edward Benthall: (a) During 1945, seven broad gauge locomotive boilers were constructed in the B.B. and C.I. Railway's workshops at Ajmer in connection with the construction of XT/1 locomotives for the North Western Railway. 99 boilers were imported from abroad of which 35 were from the United Kingdom and 64 from the United States of America.

(b) Yes; 30 boilers, 838 locomotives and 12,923 wagons were received in India under lend-lease arrangements. Out of the above, 489 locomotives and 11,583 wagons were on War Department and SEAC account.

(c) No.

(d) The hauling capacity of the largest locomotives brought out to India from America is practically the same as that of the XE heavy goods locomotives already in use on Indian Railways, and it is capable of the same type of work.

PURCHASE OF MACHINERY FOR LOCOMOTIVE MANUFACTURING PLANT

358. ***Sri M. Ananthasayanam Ayyangar:** Will the Honourable the Railway Member please state:

(a) if any machinery has been ordered for setting up a locomotive manufacturing plant at Kanchrapara, either from the United States or from the United Kingdom;

(b) if any tenders have been called for from firms in those countries before such orders were placed;

(c) if no orders have been placed so far, how Government propose to proceed in the matter with a view to purchasing the machinery in the cheapest market; and

(d) if the Standing Finance Committee for Railways passed a resolution last year for purchases being made in the cheapest market consistent with quality; if so, what steps are being taken by the Railway Department to implement the same?

The Honourable Sir Edward Benthall: (a) Yes. An order has been placed for fourteen machines costing Rs. 16 lakhs.

(b) No.

(c) Does not arise.

(d) The Standing Finance Committee's recommendation stated "that having regard to the possible increase in cost in the United Kingdom as a result of the lifting of the war time controls, the Railway Board should review the position from time to time in order to ensure that the most economical arrangements were made by purchases from any country with due regard to the requirements of the Indian Railways". No machinery for Kanchrapara has been ordered subsequent to this recommendation by the Standing Finance Committee. In placing further orders, this recommendation will be implemented.

CAPACITY OF PROPOSED LOCOMOTIVE FACTORY AT KANCHRAPARA.

359. ***Sri M. Ananthasayanam Ayyangar:** Will the Honourable the Railway Member please state:

(a) by what time the locomotive manufacturing plant will be set up finally for production at Kanchrapara, and when it is expected that the first engine will roll out of the workshop;

(b) the proposed capacity of the factory at Kanchrapara, and the number of engines required annually on an average by the various Railway Administrations in India; and if there is a deficiency in production, how it is proposed to be met; and

(c) if any locomotives have been manufactured in the workshop at Ajmer; if so, how many during the past five years; and whether the production is sufficient to meet the demands of all Indian State Railways, if not, whether it is proposed to enlarge its capacity or set up other shops in other parts of India?

The Honourable Sir Edward Benthall: (a) A sufficiently accurate forecast can only be made after the delivery dates for the machinery are known. Some of the machines may not be delivered until 1948 but indications are that production could be commenced prior to the receipt of all machinery.

(b) The proposed capacity of the Kanchrapara locomotive building shop is 80 average sized steam locomotives per annum. The average annual requirements of locomotives, B. G. and M. G., are 200. As far as can be seen at present, indigenous manufacturing capacity for steam locomotives will fall short of requirements by about seventy per annum.

Before decisions can be taken to build a third plant to manufacture steam locomotives, it is necessary to know with some certainty the number of electric and diesel locomotives which will be required as a result of the five-year development programmes which are now under scrutiny.

(c) Locomotives have been manufactured in the B.B. and C.I. Railway workshops at Ajmer. The number manufactured in the past 5 years is 15. The production is not sufficient to meet the demands of all Indian Government Railways. It is not proposed to enlarge its capacity. The remaining part of the question has been answered under (b).

CONSTRUCTION OF DACCA-ARICHA RAILWAY

360. *Mr. K. C. Neogy: (a) Will the Honourable the Railway Member be pleased to state whether the question of construction of Dacca-Aricha Railway line has been revived as a part of post-war schemes of Railway extension?

(b) Will the Honourable Member be pleased to state the circumstances in which the proposal for the construction of this line came to be approved by the Railway Department a few years back and the circumstances in which the construction of this line was given up, indicating the different stages through which the project had already passed before it was given up, and the total cost of the Railway Department that it had already entailed before the project was given up?

(c) Is the Honourable Member aware that a strong support exists in the localities concerned in favour of this project and that great resentment was caused among the people of Eastern Bengal as a result of the abandonment of the project?

The Honourable Sir Edward Benthall: (a) The revival of the question of the construction of Dacca-Aricha railway was considered in consultation with the Government of Bengal. On the advice of the Provincial Government it was decided that the proposal need not be revived for the present.

(b) The construction was approved in 1928 as the traffic and engineering reports on the project were favourable and the Government of Bengal lent their support. When the Government of Bengal withdrew their support, the project was abandoned in 1933. Approximately Rs. 2½ lakhs had been spent before the project was given up.

(c) Government are aware of the disappointment referred to but consider the reasons which caused the Government of Bengal to come to their decision to be paramount.

POSTS UNDER THE POST-WAR SCHEME IN THE CIVIL AVIATION DEPARTMENT

361. *Sardar Mangal Singh: Will the Secretary for Posts and Air please state:

(a) the number of posts in Civil Aviation Department carrying Rs. 750 and over under the post-war scheme; and

(b) out of them how many are to be filled by Indians?

Sir Gurunath Bewoor: (a) The posts provided in the Civil Aviation Department under the post-war schemes are given in the various post-war plans for Civil Aviation, copies of which are available in the Library of the House. Specific number and scales of pay are under examination.

(b) All posts will be filled by Indians, subject to suitable men being available.

NUMBER AND ROUTES OF CIVIL AIR SERVICES

362. *Diwan Chaman Lall: Will the Secretary for Posts and Air be pleased to state:

(a) the number and routes of Civil Air Services in existence at the present day, and the period of their existence;

(b) the number of flying clubs and the nature of the service they render;

(c) the nature of management (whether European or Indian) of each of the services and the clubs referred to in (a) and (b);

(d) whether Government have in contemplation expansion of Air Service (Civil) in the immediate future; if so, the nature of the proposed expansion, giving details of routes, composition of services and the approximate time for giving effect to such expansion;

(e) whether Government have taken steps for the creation of an Air Transport Licensing Board, the nature of rights with which they are proposed to be clothed and the nature of duties with which they are proposed to be entrusted; and

(f) the Government policy with regard to post-war planning for Civil Aviation in the country?

Sir Gurunath Bewoor: The Honourable Member is referred to the reply given by me on the 8th February 1946, to starred question No. 123, put by Mr. Sasanka Sekhar Sanyal.

PURCHASE OF NATIONAL SAVINGS CERTIFICATES BY PAPER MERCHANTS

363. *Diwan Chaman Lall: (a) Will the Honourable Member for Industries and Supplies please state whether it is a fact that in a Conference held between the Assistant Director of Civil Supplies (Paper Branch), Delhi, and the paper merchants it was decided that every paper merchant would purchase National Savings Certificates for Rs. 2,000 each?

(b) Is it a fact that the said Assistant Director of Civil Supplies ignoring that decision demanded from every paper merchant to purchase National Savings Certificates for Rs. 4,000 under a threat of withholding all export permits in case any paper merchant did not obey the orders of the said Assistant Director of Civil Supplies?

(c) If the answer to (a) and (b) be in the affirmative, under whose instructions did the said Assistant Director of Civil Supplies act in the manner described above?

The Honourable Mr. A. A. Waugh: (a) No, Sir. What happened was that at a meeting called by the Assistant Director of Civil Supplies (Paper Branch), Delhi, paper merchants were requested to purchase National Savings Certificates to the maximum amount possible.

(b) No, Sir. Some of the merchants offered to purchase certificates for amounts varying from Rs. 10 to Rs. 5,000

(c) Does not arise. It has been made clear to officers by the Chief Commissioner, Delhi, that no coercion should be used for encouraging the purchase of National Savings Certificates.

INDISCRIMINATE ALLOTMENT OF FINE AND SUPERFINE CLOTH TO DELHI DEALERS

364. *Diwan Chaman Lall: (a) Will the Honourable Member for Industries and Supplies please state whether Government are aware that the ration shop dealers of Delhi are allotted bales of fine and superfine cloth indiscriminately with the result that one dealer gets more bales than what he is entitled to?

(b) Do Government propose to effect some improvement in the system of distribution of fine and superfine cloth to ration shop keepers in Delhi?

The Honourable Mr. A. A. Waugh: (a) The allotment of fine and superfine cloth to ration shop dealers is not made indiscriminately. On account of the small proportion of fine and super fine cloth, and particularly of *mulls* and *latha*, it has not been found possible to make an allotment regularly to every dealer. However, the cases of dealers who have not received an allotment of these varieties in any particular month are considered during the subsequent month or months.

(b) The distribution of fine and superfine cloth will be made as evenly as possible having regard to the needs of the locality which each ration shop serves.

Demands of the Posts and Telegraphs Unions

365. *Mr. Sasanka Sekhar Sanyal: Will the Secretary for Posts and Air be pleased to state:

(a) whether the attention of the Government has been drawn to the A.P.I. report which appeared on the front page of the *Hindustan Times* of Delhi on the 4th February, 1946, under the caption "Postal employees threaten strike" intimating that the All-India Federation of Posts and Telegraph Unions through their President, Diwan Chamanlal, M.L.A., have communicated to the authorities the demands of the employees;

(b) the nature of the demands so communicated and the reaction of the Government to the same; and

(c) whether the attention of the Government has been drawn to the booklet styled as "Hungry Postal Employee", 1945, and to the contents thereof; if so, the attitude of Government to the claims and demands contained therein?

Sir Gurunath Bewoor: (a) Yes.

(b) The demands relate to the abolition of the new scales of pay, revision of the old scales of pay, fixation of dearness and war allowances on a sliding scale, guarantee against retrenchment and premature retirement, modification of the existing pension system, reduction of duty hours, special insurance, and the publication of the Bombay Postal Enquiry Committee's Report. As indicated by me in the course of the debate in the House on the 7th February 1946, Government are appointing a Commission to examine the whole question of scales of wages and allied matters for all Central Government employees. The other demands are under examination.

(c) The reply to the first part is in the affirmative; as regards the latter part, this is covered by my reply to part (b).

Communal Representation in the Accounts and Finance Directorates of Railway Board

366. *Mr. Hafiz Mohammad Abdullah: (a) Will the Honourable the Railway Member please lay on the table a statement showing the number of Hindus and Muslims working as—(i) Joint Directors, (ii) Deputy Directors, (iii) Superintendents, (iv) Senior Accountants, and (v) Junior Accountants, in the Accounts and Finance Directorates of the Railway Board?

(b) If the statement shows that Muslims are not represented in any of the categories mentioned in (a) above, will the Honourable Member please state what steps he proposes to take to give the Muslims their due share in each category?

The Honourable Sir Edward Benthall: (a) A statement is placed on the table.

(b) Communal representation is observed in making direct recruitment to the office as a whole; communal considerations, however, do not govern either promotions or transfers inside the office.

Statement showing number of Hindus and Muslims employed as Joint Director, Deputy Director, Superintendent, Senior Accountant and Junior Accountant in the Accounts and Finance Directorates of the Railway Board's Office

Description of posts	Number of Hindus	Number of Muslims
Accounts Directorate		
1. Joint Director	..	..
2. Deputy Director	..	1
3. Superintendents	..	..
4. Senior Accountants	2	..
5. Junior Accountants	4	..
Finance Directorate		
1. Joint Director	1	..
2. Deputy Directors	2	1
3. Superintendents	4	..
4. Senior Accountants	..	..
5. Junior Accountants	..	..

QUALIFICATIONS REQUIRED FOR THE POST OF SECRETARY, RAILWAY BOARD

367. *Mr. Hafiz Mohammad Abdullah: Will the Honourable the Railway Member please state:

(a) the special qualifications required of an officer for the post of the Secretary, Railway Board;

(b) how many posts of Assistants were created in the office of the Railway Board, during the last three years; and

(c) whether these posts were filled by men selected by the Federal Public Service Commission and communal percentages observed?

The Honourable Sir Edward Benthall: (a) Adequate administrative ability and a personality and temperament suitable to cope with the many and varied problems that are inseparable from the duties of this post.

(b) and (c). I will answer (b) and (c) together. 136 temporary posts of Assistants have been created during the last three years. Including vacancies in permanent posts and other temporary posts created earlier, there have been 175 appointments of Assistants during the same period. These include all the candidates that the Federal Public Service Commission were able to supply as well as transfers from Railways and promotions from within the office. Communal percentages were observed in respect of all direct appointments.

TENURE OF POSTS IN THE RAILWAY BOARD SECRETARIAT

368. *Mr. Hafiz Mohammad Abdullah: Will the Honourable the Railway Member please state whether it is a fact that Sir Joseph Bhore or any of his predecessors had ordered that four years' tenure on posts in the Secretariat of the Railway Board should be strictly observed?

The Honourable Sir Edward Benthall: It is not a fact that any Honourable Member in charge of Railways has passed such orders but Sir Joseph Bhore expressed the view that he thought it was inadvisable to keep officers in the Secretariat for more than four years except in special circumstances.

INTRODUCTION OF DIRECT RAILWAY COMMUNICATION FROM PATNA JUNCTION TO SONE EAST BANK

369. *Mr. Madandhari Singh: Will the Honourable the Railway Member be pleased to state whether there is a scheme to introduce direct Railway communication from the Patna Junction to Sone East Bank in Bihar? If so, when will the scheme materialise?

The Honourable Sir Edward Benthall: The answer to the first part of the question is in the negative.

The second part of the question does not, therefore, arise.

GRANT OF EXTENSIONS IN SERVICE ON THE B. B. & C. I. RAILWAY

370. *Mr. Manu Subedar: (a) Will the Honourable the Railway Member please state how many men getting more than Rs. 300 per month on the B. B. and C. I. Railway were not asked to retire in normal course, but were given extensions?

(b) Why was this done?

(c) Has this resulted in any injustice to junior officers, and has it retarded Indianisation?

The Honourable Sir Edward Benthall: (a) The number of staff drawing more than Rs. 300 p. m. who were granted extensions of service in 1943, 1944 and 1945 is 19, 28 and 17 respectively.

(b) The conditions arising out of the war, which involved an exceptional and sudden increase in railway business, necessitated the retention of experienced men.

(c) No appreciable injustice has been done to junior officers, for the temporary posts which have been necessary have generally outnumbered the officers given extensions. Where these extensions have been given to non-Indians due to superannuation, Indianization may have been temporarily retarded to some slight extent but this could not be avoided in view of the circumstances explained in the reply to part (b) above.

PERMISSION AND PASSPORT TO MR. KESHO RAM SABERWAL RETURN TO INDIA VIA JAPAN

371. *Pandit Mukut Bihari Lal Bhargava: (a) Has the attention of the Foreign Secretary been drawn to the Editorial article under the caption 'Mr. Kesho Ram Saberwal' which appeared in the *Frontier Mail*, dated the 3rd February, 1946 published from Peshawar?

(b) Are the facts stated therein about Mr. Kesho Ram Saberwal correct?

(c) Is it a fact that Mr. Kesho Ram Saberwal had approached the British Consular Authorities in China to give him necessary permission and the passport to return to India *via* Japan? If so, with what results?

(d) Under the particular circumstances do Government propose to provide funds and all other necessary facilities to Mr. Kesho Ram to return to India *via* Japan? If not, why not?

Mr. H. Weightman: (a) Yes.

(b) These of the facts stated on which the Government of India have so far received information are generally correct except that Mr. Saberwal is already receiving British relief funds, and that his case is receiving due consideration from British Consular authorities in China and the Government of India.

(c) Yes; the application is receiving the attention of the Government of India to whom it has been referred;

(d) The Government of India are prepared to authorise the issue of a passport and to facilitate return to India as with other repatriates. A journey *via* Japan however would involve awaiting the reopening of general permission by the Supreme Allied Commander to civilians to enter that country.

STATEMENT *re* PERSONS DETAINED UNDER REGULATION III OF 1818

372. *Shri Sri Prakasa: Will the Foreign Secretary be pleased to lay on the table a statement giving:

(i) a list of those who are detained under Regulation III of 1818 and the reasons for their detention; and

(ii) the amount of money that is being spent on each, and the allowances, if any, that are given to their families?

Mr. H. Weightman: A statement is placed on the table, giving the information required.

List of persons detained in jail (except No. 11 who is detained in a Mental Hospital) under Regulation III of 1818

Names	Reasons for detention	Maintenance costs and allowances	
		Maintenance	Allowances to families
1. Sardar Ghulam Ahmad, s/o Sardar Ali Ahmad Jan.	Reasons of State connected with External Affairs.	Rs. 3650 per annum approximately.	Rs. 11,180 per annum *plus* some Rs. 4000 per annum on the education of the children of Sardars Ghulam Ahmad and Ali Mohammad.
2. Sardar Fazal Ahmad, s/o Sardar Ali Ahmad Jan.	Do.		
3. Sardar Ali Mohammad, s/o Sardar Ali Ahmad Jan.	Do.		
4. Sardar Fakir Ahmad, s/o Sardar Ali Ahmad Jan.	Do.		
5. Musammat Shah Bano, wife of Sardar Ali Ahmad Jan.	Dependents of Nos. 1 to 4. Accompanying them by their own wish.		
6. Musammat Shah Gul, wife of Sardar Ghulam Ahmad.			
7. Musammat Mah Gul, wife of Sardar Ghulam Ahmad.			
8. Musammat Mah Gul, wife of Sardar Ali Mohammad.			
9. Sardar Abdullah Jan, s/o Sardar Mohd. Ishaq Khan.	Reasons of State connected with External Affairs.		Recently placed under detention. Question of the allowances not yet decided.
10. Sardar Mohd. Hassan Khan, s/o Sardar Mohd. Ishaq Khan.	Do.		
11. Ex-Rana Birpal Singh of Bhajji State.	Reasons connected with the discharge of the functions of the Crown in its relations with Indian States.	Rs. 420 per mensem.	Rs. 17,480 per annum.

REFUSAL OF PERMISSION FOR RE-PUBLICATION OF THE CHOTA NAGPUR DARPAN.

373. *Shri Satya Narayan Sinha: (a) Will the Honourable Member for Industries and Supplies be pleased to state if it is a fact that *Chotanagpur Darpan*, a Hindi weekly published from Hazaribagh (Bihar) which ceased publication in 1942 due to the incarceration of its editor Mr. K. B. Sahay, Ex-Parliamentary Secretary, in 1942, has been refused permission for republication sought in February, 1945, and also in August, 1945, under section 5 of the Newspaper Control Order, 1944?

(b) Are Government aware that by its non-publication the Hindi knowing inhabitants of Chotanagpur have been deprived of reading local news as it was the only paper of its kind serving that area?

(c) Is the Honourable Member aware that, while *Chotanagpur Darpan*, a paper which stood against the separation of Chotanagpur, has been refused permission, another paper called the *Sentinel* published from Ranchi which propagates the separationist viewpoint has been left free?

(d) Are Government aware that the paper situation has now become easier?

(e) Do Government propose to reconsider the matter and grant permission to *Chotanagpur Darpan* for republication?

The Honourable Mr. A. A. Waugh: (a) Permission for the revival of publication of the *Chotanagpur Darpan* was refused under clause 10 (a) of the Paper Control (Economy) Order 1944, under which no newspaper or periodical can be published which was not being regularly published during the period immediately preceding the 7th November, 1942. The *Chotanagpur Darpan* suspended publication in August 1942.

(b) Government have no information.

(c) The *Sentinal* weekly was being regularly published on 7th November 1942, and is not affected by clause 10(a) of the Paper Control (Economy) Order. Such newspapers do not require any permission to continue publication.

(d) There has recently been some improvement in the supply position of ordinary printing paper, but the newsprint position has considerably worsened. The present supply position is not such as to justify relaxation of the restrictions imposed on the starting of new or defunct journals.

(e) Government will be prepared to re-consider the matter if the request is renewed and grounds for special treatment are established, but subject to improvement in the supply position.

INTRODUCTION OF DIRECT TRAIN BETWEEN JAMSHEDPUR AND PATNA

374. *Babu Ram Narayan Singh: (a) Is the Honourable the Railway Member aware of the demand of the people of Bihar for a direct train between Jamshedpur and Patna? If so, is he prepared to consider this need of this Province?

(b) Why, even after the war is over, has not the running of direct train between Barkakhana and Patna been resumed yet?

The Honourable Sir Edward Benthall: (a) Government are not aware of any public demand for a direct train service between Jamshedpur and Patna.

(b) The restoration of particular train services is a matter for decision by local Railway Administrations and depends on improvement in Railway resources and a consideration of the relative priority of various public requirements. Such matters should, however, be represented to Railway Administrations through the medium of the Local Advisory Committees. In the meanwhile, I am arranging to bring this question and my reply to the notice of the General Managers of the B. N. and E. I. Railways.

CONTRIBUTION OF INDIA TOWARDS UNITED NATIONS ORGANISATIONS

375. *Sri M. Ananthasayanam Ayyangar: (a) Will the Foreign Secretary please state if India is obliged to provide 4·3 per cent. of the U.N.O.'s capital, and what that amounts to, and on what basis the percentage was arrived at?

(b) What is the total capital contribution of India expected to be towards all the other United Nations Organisations?

(c) What is the recurring contribution of India per year towards all these organizations?

(d) What is the amount contributed up to date towards the U.N.R.R.A., and what, if any, is the contribution that has been demanded of India by the U.N.O. for the U.N.R.R.A.?

Mr. H. Weightman: (a) The General Assembly has decided that a working Capital Fund of 25 million dollars should be created for the United Nations to which Members should make advances in proportion to the average of their rates of contributions to the Food and Agriculture Organization during the 1st and 2nd years after adjustments on account of inclusion of new Members. The Food and Agriculture Organization scale has been adopted as it is the most recently scale adopted scale of allocation of costs of an international organization among its members. The advance which India will be invited to make to the working capital fund on this basis is 4.391 per cent. which works out to 1,097,750 dollars.

(There are no separate contributions to the various organs of the United Nations.

(c) This is not yet known. The annual contributions to be made by the Members of the United Nations will only be decided in the second part of the first session of the General Assembly later on this year.

(d) The amount so far contributed by India to U.N.R.R.A. is Rs. 8 crores. The Government of India have not so far received any request from the United Nations Organizations for a further contribution to U.N.R.R.A.

DETENTION IN INDIA OF FOREIGNERS OF ASIATIC DOMICILE

376. *Mr. Ahmed E. H. Jaffer: (a) Will the Foreign Secretary be pleased to lay on the table of the House a complete and up-to-date list of foreigners of Asiatic domicile who are detained or interned in India by the orders of the Government of India, showing their names, their ages, their countries of origin or domicile as well as the reasons for detaining them, the time since when and the places where they are kept in detention and the allowances being paid to each of them for their maintenance?

(b) Is it a fact that in the Karwar Jail in the Bombay Province, the Government of India is detaining, since a very long time, male and female members of a once distinguished family of Kabul in Afghanistan?

(c) If the answer to (b) above be in the affirmative, will the Honourable Member please state:

(i) the number and names as also the ages of these Afghan detainees;

(ii) the status and standing their family enjoyed in Afghanistan in the past;

(iii) the circumstances under and the conditions on which these Afghans fell into the custody of Government; and

(iv) the direct offence against Government for which it has chosen to consign these respectable Afghans to the rigours and hardships of jail life without trial?

(d) If these Afghans now rotting in the Karwar Jail are detained there without any trial, have Government any intention of trying them in a regular court of law or setting them free if their detention was for any consideration connected with the recent great war which now has happily ended?

Mr. H. Weightman: (a) It is assumed that the Honourable Member is referring to foreigners who were detained or interned under specific orders of the Government of India and not to those who were detained in or brought to India for custody as enemy subjects on the outbreak of war with Japan. A statement giving the names and other particulars of foreigners of the former category, detained or interned, is laid on the Table of the House.

(b) Certain Afghans, details of whom are given at Nos. 1 to 8 in the statement which I have laid on the Table of the House, have been in Karwar Jail since June 1941.

(c) (i) These details are included in the statement.

(ii) They are the wife, sons and daughters-in-law of the late Sardar Ali Ahmad Jan, one-time Governor of Kabul.

(iii) Sardars Ghulam Ahmad and Fazal Ahmad surrendered to officers of the Government of India after they had tried unsuccessfully to organise a revolt against the Government of Afghanistan from a base in Tirah Territory on the North West Frontier of India. They surrendered unconditionally and were soon after joined by their relatives.

(iv) These persons were originally allowed to live in a private house but in 1941 they caused a disturbance and used violance in the Bombay Secretariat and their continued truculance thereafter necessitated their confinement in jail.

(d) The question of their continued detention or restrictions is about to come under review.

Statement of persons Detained or Interned in India under the orders of the Government of India

1	2	3	4	5	6	7	8 (i)	8 (ii)	8 (iii)	
Sl. No.	Names	Ages	Country of origin	Whether detained or interned	Date from which detained or interned	Place of present detention or residence	Allowances: Maintenance	Allowances: House rent.	Allowances: Misc. allowances	Reason of detention or internment
1	Sardar Ghulam Ahmad Son of Sardar Ali Ahmad Jan.	46 Yrs. approx.	Afghanistan.	Detained in Jail.	16th June 1941.	Karwar.	Rs. 300 p.m.	..	..	For reasons of State connected with external affairs.
2	Sardar Fazal Ahmad S/o Sardar Ali Ahmad Jan.	27 Yrs. approx.	Do.	Do.	Do.	Do.	Rs. 200 p.m.	..	..	Do.
3	Sardar Ali Muhammad S/o Sardar Ali Ahmad Jan.	30 Yrs. approx.	Do.	Do.	Do.	Do.	Rs. 200 p.m.	..	Rs. 30 p.m. for new born baby.	Do.
4	Sardar Fakir Ahmad S/o Sardar Ali Ahmad Jan.	28 Yrs. approx.	Do.	Do.	Do.	Do.	Rs. 100 p.m.	..	..	Do.
5	Musammat Shah Bano Wife of Sardar Ali Ahmad Jan.	66 Yrs. approx.	Do.	Do.	Do.	Do.	Do.	..	..	Do.
6	Musammat Shah Gul Wife of No. 1.	40 Yrs. approx.	Do	Do.	Do.	Do.	Included in allowance of No. 1.	..	..	Do.
7	Musammat Mah Gul Wife of No. 2.	18 Yrs. approx.	Do.	Do.	Do.	Do.	Do.	..	..	Do.
8	Musammat Mah Gul Wife of No. 3.	29 Yrs. approx.	Do.	Do.	Do.	Do.	Included in allowance of No. 3.	..	..	Do.

NOTE.—In addition to the allowances the 8 persons above are supplied with diet at Govt. cost @ 1/4/- rupee per head per day.
(ii) An expenditure of about Rs. 4000/- p.a. is incurred by Govt. on the education of the sons and daughters of S. No. (1) & (3) above.

9	Mohd. Hassan S/o Said Shah.	33 Yrs. approx.	Do.	Lives in a house rented by Govt.	21st Sept. 1934.	Belgaum.	Rs. 100 p.m.	Rs. 20 p.m.	Rs. 1/6/-daily diet allowance.	Do.
10	Sardar Sultan Ahmad Khan.	55 Yrs. approx.	Do.	Lives in a house rented by Govt. under surveillance.	20th March 1917.	Allahabad.	Rs. 330 p.m.	..	Rs. 7/15/11 p.m. to meet income-tax.	Do.
11	Sardar Sher Ahmad Khan.	53 Yrs. approx.	Do.	Do.	Do.	Do.	Rs. 275 p.m.	..	Rs. 6/10/8 p.m. to meet income-tax and Rs. 12/8/- p.m. educational allowance for daughter and Rs. 10 p.m. education allowance for son.	Do.
12	Sardar Mohd. Sarwar Khan.	53 Yrs. approx.	Do.	Do.	Do.	Do.	Rs. 250 p.m.	..	Rs. 6/10/8 p.m. to meet income-tax. Rs. 12/8/- p.m. educational allowance for daughter.	Do.
13	Sardar Mohd. Umar Khan.	50 Yrs. approx.	Do.	Absconding.	Do.	Do. Absconding since 4th Oct. 1937.	Stopped.	..	Rs. 200/- p.m. family allowance and Rs. 12/8/- p.m. educational allowance for two sons.	Do.
14	Sardar Noor Ahmad Khan.	52 Yrs. approx.	Do.	Lives in a house rented by Govt. under surveillance.	20th March 1917.	Allahabad.	Rs. 275 p.m.	..	Rs. 6/10/8 p.m. to meet income-tax. Rs. 12/8/- p.m. education alallowance for two sons.	Do.

NOTE.—Nos. 10 to 14 also get Rs. 300 p.a. as hill allowance.

1	2	3	4	5	6	7	8 (i)	8 (ii)	8 (iii)	9
15	Sardar Abdur Rahman Khan.	83 Yrs. approx.	Afghanistan.	Lives in a house rented by Govt. and under surveillance. Has to report himself.	14th Jany 1929.	Meerut.	Rs. 250 p.m.	Rs. 70 p.m.	Rs. 10 p.m. education allowance to grand son.	For reasons of State connected with external affairs.
16	Ghulam Nabi . .	34 Yrs. approx.	Do.	Interned within Municipal limit	2nd Nov. 1933.	Sitapur.	Rs. 30 p.m.	Rs. 12 p.m.	As. 10 daily allowance.	Do.
17	Mohd. Din . .	59 Yrs. approx.	Do.	Do.	Do.	Do.	Do.	See No. 18.	Do.	Do.
18	Mohd. Jan . .	33 Yrs. approx.	Do.	Do.	14th Jany 1929.	Do.	Rs. 60 p.m.	Rs. 35 p.m. for No. 17 & 18 living in same house.	..	Do.
19	Mohd. Saddiq . .	49 Yrs. approx.	Do.	Do.	2nd Nov. 1933.	Shahjahanpur.	Rs. 30 p.m.	Rs. 20 p.m.	As. 10 daily allowance.	Do.
20	Abdul Hakim . .	39 Yrs. approx.	Do.	Do.	Do.	Fyzabad.	Rs. 50 p.m.	Please see No. 21.	Do.	Do.
21	Abdul Majid . .	44 Yrs. approx.	Do.	Do.	Do.	Do.	Rs. 50 p.m.	Rs. 25 p.m. to Nos. 20 & 21.	As. 10 daily allowance.	Do.
22	Khan Baba . .	67 Yrs. approx.	Do.	Do.	5th Oct. 1924	Partabgarh.	Rs. 50 p.m.	Rs. 20	Rs. 1 daily allowance.	Do.

23	Sardar Abdullah Khan.	46 Yrs. approx.	Do.	At large (restricted to Jubbulpore.)	21st Decr. 1925.	Jubbulpore.	Rs. 660 p.m.	Rs. 120 p.m.	Rs. 50 p.m. education allowance for two sons.	Do.
24	Sardar Abdul Hamid Khan.	43 Yrs. approx.	Do.	Do.	Do.	Do.	Rs. 550 p.m.	Rs. 100 p.m.	Rs. 25 p.m. education allowance for two sons.	Do.
25	Sardar Abdul Quayyum Khan.	37 Yrs. approx.	Do.	Do.	24th July 1934.	Do.	Rs. 495 p.m.	Rs. 80 p.m.	Do.	Do.
26	Atta Mohd. s/o Rahim Jan.	42 Yrs. approx.	Do.	Lives in a house rented by Govt. under personal restramt.	18th Sept. 1933.	Betul.	Rs. 60 p.m.	Rs. 75 p.m.	Rs. 30 p.m. for mother, sister, and brother. Rs. 100 p.a. education for two sons.	Do.
27	Ali Ahmad s/o Wali Muhd.	36 Yrs. approx.	Do.	Do.	26th Oct. 1934.	Do.	Rs. 32 p.m.	Rs. 45 p.m.	Rs. 1/6/- daily diet allowance. Rs. 100 p.m. education allowance for two sons.	Do.
28	Sardar Abdul Hakim Khan.	74 Yrs. approx.	Do.	Lives under Police surveillance in house rented by Govt.	14th Mar. 1930.	Yereaud (Sailem District.)	Rs. 150 p.m.	Rs. 140 p.m.	Rs. 50 p.a. education allowance for son.	Do.
29	Sardar Amin . .	38 Yrs. approx.	Do.	Do.	Do.	Ootacamund (Nilgiris).	Rs. 550 p.m.	Rs. 100 p.m.	..	Do.
30	Sardar Ghausuddin Khan.	59 Yrs. approx.	Do	Lives under Police surveillance in house rented by Govt.	14th Mar. 1930.	Kodaikenal Madura District.	Rs. 450 p.m.	..	Rs. 200 p.m. education allowonce for a son and three daughters.	Do.

1	2	3	4	5	6	7	8 (i)	8 (ii)	8 (iii)	9
31	Sardar Abdullah Jan s/o Sardar Mohd. Ishaq Khan.	Not known.	Afghanistan	Detained in Quetta Dist. Jail.	Since recently, under warrents dated 19th Jan. 1945.	Quetta.	Not yet fixed.	..	..	For reasons of State connected with External Affairs.
32	Sardar Muhd. Hassan Khan s/o Sardar Muhd. Ishaq Khan.	Do.	Do.	Do.	Do.	Do.	Do.	..	..	Do.
33	Sardar Muhd. Ibrahim Khan.	Do.	Do.	Detained in his house in Quetta.	Do.	Do.	Do.	..	..	Do.
34	Sardar Muhd. Qasim Khan s/o Sardar Muhd. Ismail. Khan.	Do.	Do.	Do.	Do.	Do.	Do.	..	..	Do.
35	Worden, Max Angelo	40 Yrs.	Iran	Detaintd in Central Internment Camp, Dehra Dun.	22nd April 1941.	Dehra Dun.	Rs. 20 p.m.	..	Free rations.	Dangerous and prejudicial activities.
36	Chanian, Dr. Ovanes Gregory.	46 Yrs.	Do.	Detained in Parole Centre Satara.	13th July 1942.	Satara.	Rs. 10 p.m.	..	Messing allowances Rs. 60 p.m. & Rs. 120 p.a. as clothing allowance payable in two instalments.	Do.
37	Safi Azad . .	66 Yrs.	Do.	Do.	7th Sept. 1939.	Do.	Do.		Do.	Do.
38	Mohomed Bin . .	38 Yrs.	Kuwait.	Detained in Thana Dist. prison, Bombay.	17th Sept. 1941.	Bombay.	No. allcs. rules.	is governed by ordinary jail		Do.

DETENTION IN POONA CITY OF THREE BROTHERS OF A HIGH FAMILY OF KABUL

377. *Mr. Ahmed E. H. Jaffer: (a) Will the Foreign Secretary be pleased to state if it is a fact that three Afghan brothers of a high family of Kabul in Afghanistan are being detained by Government under surveillance within the limits of the Poona City and suburban areas?

(b) If the answer to (a) above be in the affirmative, will the Honourable Member kindly state:

(i) their names and ages;

(ii) their family standing in Afghanistan;

(iii) the posts or profession which they held or followed in their own country before tripping into its custody in India;

(iv) the circumstances under which they fell into the hands of Government; and

(v) the reason for which they are being detained at Poona?

(c) Is it a fact that the Afghan detainees in Poona have been paid Rs. 60 per month each for their maintenance including house rent, medical expenses, as well as clothing charges up to very lately through all the abnormally expensive years of the recent war?

(d) Is it a fact that only two or three months back Government after receiving repeated representations from these scions of a noble Afghan family have been pleased to raise their monthly allowance to the sum of Rs. 80 per month for each?

(e) Is it a fact that the Afghan internees in Poona are not allowed by Government to engage in any service or business whereby they might be able to earn enough to live above penury which is their present lot?

(f) If the answer to (c), (d) and (e) above be in the affirmative, will the Honourable Member please state if the allowances given by Government to the Afghan internees in Poona stand justified in the light of its own periodical living cost indexes *vis-à-vis* the standard of living to which these internees have been accustomed in their own country?

Mr. H. Weightman: (a) It is presumed that the Honourable Member is referring to three Afghan brothers who are at present living in Poona; they are not detained there and are free to move anywhere in British India with the exception of the North West Frontier Province and Baluchistan.

(b) (i) Their names are: Sardars Inayatullah Khan, Hafizullah Khan and Habibullah Khan. Their ages are not known.

(ii) and (iii). The Government of India have no information regarding the status of their family in Afghanistan:

Sardar Hafizullah Khan at one time held the rank of To'i-Mishar (Captain) in the Afghan Army. Sardar Inayatullah Khan was a minor civil official and the Government of India understand that Sardar Habibullah Khan was a Customs officer.

(iv) They surrendered unconditionally to officers of the Government of India after being involved in an abortive revolt in 1939 against the present Government of Afghanistan.

(v) Does not arise.

(c) and (d). Their allowances of Rs. 60 a month were increased to Rs. 80 a month in August 1945.

(e) No.

(f) Does not arise in view of the answer to (e) above.

REMOVAL OF RESTRICTIONS OF AFGHAN INTERNEES IN POONA

378. *Mr. Ahmed E. H. Jaffer: (a) Will the Foreign Secretary be pleased to state if it is a fact that the Afghan internees in Poona have behaved worthily throughout the period of their detention in Poona and that they themselves have no desire to return to Afghanistan under its present regime?

(b) If the answer to (a) above be in the affirmative, have Government any objection to removing them from their present surveillance and detention in order to let them settle down as independent citizens with permission to engage in any trade or calling?

(c) If answer to (b) above be in the negative, does the Honourable Member propose to issue early orders removing all restrictions on these internees or in the alternative raise the amount of their allowances to a figure compatible with the standard of living to which they have been accustomed in their own country and with the prevailing high cost of living in Poona?

Mr. H. Weightman: (a) It is presumed that the Honourable Member is referring to the same persons covered by question No. 377. Their behaviour has given no cause for complaint and they have stated no desire to return to Afghanistan.

(b) There is no obstacle to their settling down to any trade or calling outside the North-West Frontier Province and Baluchistan.

(c) Does not arise.

UNSTARRED QUESTIONS AND ANSWERS

NON-STOPPAGE OF TRAINS AT BALLABHGARH STATION

38. Pandit Thakur Das Bhargava: (a) Has the attention of the Honourable the Railway Member been drawn to a letter from Ballabhgarh which appeared in column 7 of page 5 of the *Hindustan Times*, dated the 30th January, 1946, in which a complaint about the non-stoppage of trains at Ballabhgarh, an important trading centre and Tehsil Headquarters in the Punjab, has been made?

(b) Do Government propose to order the stoppage of a reasonable number of trains at Ballabhgarh as before?

(c) Is there any proposal for running any more trains between Delhi and Muttra or Agra?

The Honourable Sir Edward Benthall: (a) Yes.

(b) and (c). These are matters which should properly be represented to the Railway Administration through the medium of the Local Advisory Committees, which have been expressly set up to bring the needs of the public to the notice of railways. I am, however, sending a copy of the Honourable Member's question and of my reply to the General Managers, G.I.P. Railway and B., B. & C. I Railway for such action as they may be able to take in the matter.

RE-OPENING OF PANIPAT-GOHAMA-ROHTAK RAILWAY LINE

39. Pandit Thakur Das Bhargava: Will the Honourable the Railway Member kindly state:

(a) if it is a fact that Panipat—Gohama—Rohtak Railway line was dismantled during the war;

(b) if Government are aware that besides the hardships to the travelling public of the localities served by the line, the agricultural and trading interests of the Gohama, Panipat and Rohtak Tehsils, Gohama Mandi and neighbouring localities are specially suffering owing to the dismantling of the line;

(c) whether Government propose to consider the desirability of opening the line as soon as possible; and

(d) by what time Government propose to reopen the line?

The Honourable Sir Edward Benthall: (a) The answer is in the affirmative.

(b) The Government are informed that the area is adequately served by roads and a provincial highway has been projected on an alignment parallel to the railway line as it was before dismantlement.

(c) The restoration has been considered in conjunction with the Punjab Government and it has been decided not to relay the line.

(d) Does not arise.

NEW-PROJECTS OF RAILWAY CONSTRUCTION

40. **Mr. K. C. Neogy:** Will the Honourable the Railway Member be pleased to lay on the table a statement showing the different new projects of Railway construction that are under active consideration in different parts of the country in connection with the post-war expansion scheme, indicating in each case the stage that may have been reached either in survey or other preliminary operations, and the approximate period of time within which each such line may be expected to be taken in hand for construction?

The Honourable Sir Edward Benthall: A list of projects approved for survey has already been laid on the table of the House in answer to question No. 113, by Sri M. Ananthasayanam Ayyangar. Another copy of the list is now placed before the House wherein the projects for which the survey estimates have been sanctioned upto 31st January, 1946, have been marked with an asterisk. None of the surveys have so far been completed. Unless the surveys have been completed and the reports considered it is difficult to say which of the projects will be constructed and precisely when the work will commence.

List of projects approved for survey—new Constructions, Restorations and Conversions

	Approx. Mileage
EAST INDIAN RAILWAY	
(a) *Dismantled lines to be restored*	
1. Unao-Madhoganj-Balamau	78 Miles
2. Bijnor-Chandpur Siau	21 ,,
3. Utraitia Sultanpur-Zafarabad	186 ,,
(b) *New Lines*	
1. Kicha-Chandausi	*65 ,,
2. Birmitrapur-Barwadih	*120 ,,
3. Chirmiri-Barwadih (Garhwa Road or Untari Road)	*140 ,,
4. Barkagoan-Hazaribagh-Giridih-Dumka-Rampur Haut	*225 ,,
5. Gaya-Sherghati-Ghatra-Ranchi	*110 ,,
BENGAL ASSAM RAILWAY	
(a) *Restoration of Dismantled lines*	
1. Shaistaganj-Habiganj	*8 ,,
2. Moranhat-Khowang	6 ,,
3. Amnura-Chapai Nawabganj	*10 ,,
(b) *New Lines*	
1. Bahadurabad-Goalpara-Pandu with a bridge at Goalpara-Jogighopa and a link from the bridge to Bongaigaon, also Gouripur Mymensingh Mahendraganj.	*283 ,,
2. Sylhet-Bazar-Chatak	*21 ,,
3. Khowang-Dibrugarh	*12 ,,
4. Faridpur-Madaripur-Barisal	*80 ,,
5. Sainthia-Barhampore-Bhairamara	*96 ,,
6. Rohanpur-Nithpur-Dinajpur	*76 ,,
7. Jharia-Jhanjail-Baghmara-Siju-Jankaray	*37 ,,
(c) *Conversion*	
1. Tezpur-Balipara to be converted from N. G. to M. G.	20 ,,
BENGAL NAGPUR RAILWAY	
(a) *Dismantled lines to be restored*	
1. Bobbili-Salur	10 ,,

Note:—At the time of investigation it will be necessary to examine particularly the possibility of connecting Balharshah to Bastar.

	Approx. Mileages
(b) *New Lines*	
1. Ramagundam-Bastar-Jagdalpur Jaypur-Salur (or Vizanagram via Padwa) The portion between Ramagundam & Bastar shall be served by H. E. H. the Nizam's Rly.	*290 Miles
2. Rajnandgaon (or Drug)-Bastar viâ Kankar and Taragaon	*120 ,,
3. Sambalpur-Kondagaon via Kantabanji or Lanjigarh	*247 ,,
4. Talcher (along the valley of the Brahmani river)-Koel Bank	100 ,,
5. Talbandh (or Bangriposi)-Badampahar (or Sulapat or Rairangpur) including conversion of Rupsa-Talbandh to B. G.	85 Miles (including 70 miles of conversion).
6. Khurda Road-Bargarh	128 Miles
7. Vishnupur-Santragachi	68 ,,
8. Contai Road-Contai-Tamluk-Kolaghat-Ghatal-Chandrakona	150 ,,
9. Extension of Lohardaga to meet Barwadih-Birmitrapur	23 ,,
(c) *Conversion*	
1. Purulia to Lohardaga	*116 ,,
SOUTH INDIAN RAILWAY	
(a) *New Lines*	
1. Dindigul-Gudallur	*70 ,,
2. Kollengode-Cochin Part	*41 ,,
3. Tanjore-Pattukottai	*29 ,,
4. Arantangi-Karaikkudi	*20 ,,
M. & S. M. RAILWAY	
(a) *New Lines*	
1. Alnavar-Haliyal-Yellapur-Karwar	70 ,,
2. Ellore-Saveri Valley	70 ,,
G. I. P. RAILWAY	
(a) *Dismantled lines to be restored*	
1. Cawnpore-Khairada	*81 ,,
(b) *New Lines*	
1. Diva-Dasgaon	93 ,,
2. Manmad-Nardhana	79 ,,
3. Belapur Road-Sheogaon	45 ,,
4. Baramati-Pandharpur	70 ,,
5. Kurla-Palasdhari	*35 ,,
6. Amroti-Narkher	*79 ,,
B. B. & C. I. RAILWAY	
(a) *Dismantled lines to be restored*	
1. Vasad-Kathana	*27 ,,
(b) *New Lines*	
1. Bulsar-Dharampur	*17 ,,
2. Khandwa Hingoli	*69 ,,
OUDH TIRHUT RAILWAY	
(a) *New Lines*	
1. Kashipur-Kalagarh	*30 ,,
2. Chakia-Alwalia-Sidhwalia	27 ,,
3. Sitamarhi-Sonbarsa	*20 ,,
4. Murliganj-Madhepura	*13 ,,

JODHPUR RAILWAY

(a) *New Lines*

	Approx. Mileages	
1. Pithoro-Kahi-Tando Mithakhan-Sanghar-Jhol	*62	Miles

NORTH WESTERN RAILWAY

(a) *Dismantled lines to be restored*

1. Nagrota Jogindernagar	35	,,

(b) *New Lines*

1. Havelian Garhi Habibullah	*43	,,
2. Charsadda-Mardan	*17	,,
3. Pezu-Dera Ismail Khan	40	,,
4. Tando Mohd. Khan-Moghalbin (Jati Taluka)	*72	,,
5. Badin-Gujrat (Bombay-Sind)	*268	,,
6. Karachi-Kalat-Quetta	*410	,,
7. Peshawar-Kohat	*40	,,
8. Kohat to Bannu	*80	,,
9. Rupar-Talaura	*87	,,
10. Khushab-Nurpur Darya Khan	70	,,
11. Kashmore-Dera Ghazi Khan	90	,,
12. Jhang-Malout	100	,,
13. Khewra-Chakwal	40	,,

(c) *Conversion*

1. Mari Indus-Bannu & Manzai Laki Marwat from NG to BG	*158	,,
2. Jacobabad-Kashmore from N.G. to B.G.	*77	,,
3. Kohat-Thal	*64	,,

LATE DELIVERY OF MAILS TO BENARES R.M.S. FROM LOCAL POST-OFFICES

41. Pandit Sri Krishna Dutt Paliwal: Will the Secretary for Posts and Air please state:

(a) if it is a fact that for lack of suitable control on the administration of the Benares Head Post Office, offices finish their work too late, and that for the same reason the local Benares R.M.S gets mails from local offices between 8-30 P.M. and 9-00 P.M. almost daily resulting in the detention of staff for longer than the scheduled hours of duty;

(b) whether the staff is detained for over twelve to fourteen hours almost every day beginning from 16-00 hours and ending at 6-00 A.M. of the next morning; and

(c) whether the staff of the Benares R M S. is compelled to go on medical leave very frequently?

Sir Gurunath Bewoor: I propose to reply to Questions Nos. 41 and 42 together.

Government have no information and do not propose to call for it as this is a matter within the competence of the Postmaster-General, United Provinces, to whom a copy of the question and answer is being sent for investigation and suitable action.

INADEQUACY OF SUPERVISORY STAFF FOR VERIFICATION OF INSURED PARCELS

†**42. Pandit Sri Krishna Dutt Paliwal:** Will the Secretary for Posts and Air please state:

(a) whether the supervisory staff for verification of Insured Parcels etc. could not be adequate on account of the every day diversion of booking from one area to another;

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†For answer to this question, *see* answer to question No. 41.

(b) whether for want of full quota of canvas bags Insured Parcels have to be sent outside inviting risk over the staff for safe custody and transmission; and

(c) whether Government propose to consider the advisability of opening a Central Office for booking with several counters as well as for storage and sorting of parcels to close direct bags to minimise the difficulty of the R.M.S administration; if not, what they propose to do to set the matters right?

DEATH OF SUB-POSTMASTER, GURUKAL KANGRI

43. Pandit Sri Krishna Dutt Paliwal: (a) Will the Secretary for Posts and Air please state if Government are aware that one Ram Sarup Gupta, Sub-Postmaster, Gurukul Kangri, District Saharanpur was not granted leave when he reported sick?

(b) Are Government also aware that the work of the Post Office had to be stopped for days together owing to the serious illness of the Sub-Postmaster, who had developed pneumonia in the meantime?

(c) Is it a fact that no relief could come even when a telegraphic reminder was sent?

(d) Is it also a fact that the relief arrived on the 28th October, 1945, when the Sub-Postmaster was quite senseless and the keys of the office were made over to the relief by the wife of the sick postmaster and that ultimately the man died on the 29th October, 1945? If so, do Government propose to take any action against the Divisional Superintendent, and do they also propose to grant suitable pension to the widow and children of the deceased?

Sir Gurunath Bewoor: (a) The position is not as stated. A telegram and a postal communication from Mr. Ram Sarup Gupta applying for casual leave on account of sickness were received in the office of the Superintendent of Post Offices, Dehra Dun Division, on the 20th and 22nd October, 1945, respectively. The Superintendent immediately asked the Sub-Postmaster, Hardwar on 20th October by telegram to depute a competent hand to relieve Mr. Gupta but Mr. Gupta's relief did not actually arrive until the 28th of that month. The delay in effecting the relief was due to the fact that a telegram despatched on the 21st October, 1945, by the Sub-postmaster, Hardwar, expressing his inability to send an official of his office to relieve Mr. Gupta was unfortunately lost in transit and the Superintendent was under the impression that a relief had been sent. On receipt of a second telegram from Gurukul Kangri post office on the 20th October, another man was ordered to proceed to take charge of the office and he did so on 28th October.

(b) Yes.

(c) No. A relief was arranged immediately the telegraphic reminder was received.

(d) The reply to the first part is in the affirmative. In regard to the second part there was no neglect on the part of the Superintendent in this case. The Postmaster-General, United Provinces Circle, is considering the proposal for the grant of some gratuity to the family of the deceased.

CURTAILMENT OF ORAL ANSWERS TO ABSENTEE MEMBERS' QUESTIONS

12 NOON.

Mr. President: The question hour is over. I would like to invite the attention of Honourable Members to the fact that I noticed today that a pretty good number of Honourable Members who are putting questions were absent. I mean it was not a solitary instance. I think, if Honourable Members put questions, they ought to be present in the House to put them. I have been following the course, just in the beginning, of being a little more liberal in interpreting the rule which says that if the Member in whose name the question stands is absent the President, at the request of any Member, may direct that the answer to it be given. But if that means encouragement to remain absent, I do not propose to exercise this discretion vested in the Chair to direct an answer to be given to the question, as on former occasions.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): The transport position is bad here.

Mr. President: Whatever it may be, if they choose the dates on which the answers are required, they ought to arrange for the question being put instead of putting the Chair to the necessity of giving consent to their request every now and then. Therefore, I hope Honourable Members who put questions will make it a point in future to remain present, except, of course, in exceptional circumstances, in which cases, as I find by practice, and not necessarily by the ruling of my predecessors, a written authority should be given. I insist on that authority not because the rule says so, but it will enable me at least to judge that the Honourable Member who puts the question is careful enough to see that his question is coming on such and such a date and is also further careful to see that it is put through somebody else and answered. It is just for that purpose. Otherwise, as I said, in exceptional cases I will certainly allow the question to be put. But then, the practice of Members remaining absent is not one which should be encouraged by the President, making it as a rule that automatically some Member requests and the President allows the question to be answered.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): May I respectfully submit that sometimes the questioner does not reach the stage of asking the question and the result is a bit of a disappointment? Would you consider the possibility of reducing the number of supplementary questions because I feel that sometimes supplementary questions take away all the time; and they do not lead us anywhere? I would therefore respectfully submit to you to consider that aspect of the matter also.

Mr. President: I am thankful to the Honourable Member for having given me an opportunity of stating to the House as to what is passing in my mind about this. A similar question had arisen in this House a few days back, and then I stated that some of the questions which are put in as 'Starred' may as well go as 'unstarred'. That is one. The second is that supplementaries should be shortened as far as possible; and in asking supplementaries instead of putting in various clauses by which reasons and arguments are given, it is better that questions in a shorter form are asked straight, so as to elicit information only. That is another way of reducing the time taken over supplementaries without reducing their number.

Then, I am having statistics prepared, from day to day, of questions which were put for a certain date, questions answered, and questions that could not be answered. After having those statistics for about a week more, I shall be in a position to see the average number of questions put everyday, the average number of questions answered everyday, and then it will be possible for us to come to an agreement whereby questions that are put in the list are all answered.

There is also the other suggestion which is under consideration—I am myself considering it, and it is not under the consideration of any other person—that answers may be printed as is done in Bombay or Madras and laid on the table about half an hour before the meeting. But that is a matter which is yet under my own consideration. I have to discuss it with the Honourable the Leader of the House and with the Members of Parties. That will save some of our time. But the general rule which I would like to follow and which I would earnestly request members to observe just with a view to give complete co-operation to the Chair is that all sorts of restrictions which are desired by different or various members should better come from within rather than be imposed by the President from the Chair. If members co-operate and not put in many questions, the matter will be automatically solved. This particular request of mine applies not only to questions but to all business we transact in the House. I will prefer the least interference from the Chair so far as control over the proceedings of the House is concerned. That will be the ideal position for a democratic House.

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): May I submit one matter that as there are always a certain number of questions which cannot be answered, it happens that a member who is absent has his question answered and a member present cannot have his question answered. When you consider the other point would you also kindly consider this point, namely, whether a member who is actually present but who has got a later question has not some right, in view of the other member's absence, to have his question answered?

Sjt. N. V. Gadgil: The fact is that the answers are so brief and bureaucratic that they really require many supplementaries. There is such an economy of truth that many supplementaries become necessary in the interests of bringing out the true facts. I appreciate your point of view that the supplementary questions involve argument. But the fault is not of the questioner. It is because the proceedings have to be conducted in a language which is foreign to us. Will the Chair kindly take this into consideration and allow a little margin because the main object of those who want to ask supplementary questions is to know the truth? In many cases it is just the object which the other side wants to frustrate by not giving correct answers. Just as you want us to put relevant and pointed questions, may I ask the Chair also to seek the co-operation from the other side in giving true information and fuller information?

Mr. President: I do not think this requires further discussion at all. I have asked for co-operation from all sides and not from this side or that. I have no doubt that if we work in a spirit of co-operation, things will improve. Somebody has to make a beginning.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, the specific suggestion of the Honourable the Commerce Member is one which I beg to support, namely, that if a Member is absent, his question, even if it is to be answered under the restrictive rules which you have laid down, should not take precedence. It should be put over, and when the rest of the questions are finished he gets a chance.

Several Honourable Members: He can authorise under the rules.

Mr. President: I prefer for some time at least to watch the proceedings and not to encourage absent Members' questions to be replied to. That is what I stated in the beginning. If there is time left after the questions on the paper are finished, we may consider whether the absent Members' questions should or should not be answered.

REPORT OF THE COMMITTEE ON BRETTON WOODS AGREEMENT

The Honourable Sir Archibald Rowlands (Finance Member): Sir, the report of the Committee on Bretton Woods which I hoped to present today will not now be available till Thursday. I hope to be in a position to circulate the report early on Thursday, and I understand that the parties will not take any objection to finally disposing of the question on Saturday, although the report will not be circulated until Thursday.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, there will be no objection to the procedure outlined by the Honourable the Finance Member. But the report is not yet ready and I believe consultations are going on between members of various groups,—members of one group with the other and also with Members of Government. So I fear that the report may not be ready by Thursday in which case it would be impossible to have a discussion of it on Saturday.

The Honourable Sir Archibald Rowlands: Sir, I am disappointed at that statement. I thought it was to meet the convenience of the Committee that the report was postponed till Wednesday. I do impress again that it is very

necessary that a decision should be taken this week, and there does not seem to be any other opportunity of disposing of it except on Saturday,—nor in the following week. I therefore do appeal for the co-operation of the parties in disposing of this question on Saturday.

Mr. Manu Subedar: Sir, I assure this House through you that we have every desire not to cause any delay longer than is necessary. The difficulty, however, arises out of the absence from Delhi of certain party leaders before whom this matter has to be put; and, as I mentioned on a previous occasion, we have run up against issues which are of such stupendous importance that the whole issue of sending a representative of India to the Bretton Woods preliminary shareholders' meeting pales into insignificance; and I submit that we should not be rushed on the major issue which worries us. The Honourable the Finance Member knows very well that it is not merely a question of sending a representative; there is another large issue which I am not free to disclose as it is being confidentially discussed in the Bretton Woods Committee. But there is that large issue which troubles every Member of this House of every Party and the whole country outside, and I suggest that we ought not to be rushed on the mere plea that a particular date is of that importance for the preliminary attendance of India's representative at the shareholders' meeting.

The Honourable Sir Archibald Rowlands: That large issue to which the Honourable Member refers is a separate issue which I am prepared to discuss at any convenient time. The issue before the House on Saturday will be a very simple one.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): Sir, so far as I am concerned, I have tried my best to get in touch with my Leader and we thought it would be possible for us to come to an agreement on Thursday. But it now seems that it is very difficult; and unless and until we know what attitude the Committee is going to adopt and what report is going to be drafted, I am not prepared to say that we will be in a position to discuss this matter on Saturday. I respectfully submit to the Finance Member that, as Mr. Manu Subedar has suggested, the preliminary stages may be gone through a representative can be sent, and the cost involved is not greater than the risk which this country might take later on.

The Honourable Sir Archibald Rowlands: That would meet my case.

Mr. President: In any case, not being conversant with the discussions in the Committee, it is not possible for me to express any opinion on the urgency or otherwise of this discussion. It is a matter for the members of the Committee to settle among themselves; I am entirely in the hands of the House. I should, however, wish that every possible effort should be made to come to an agreement and, if possible, the report should be submitted on Thursday, the 21st. Personally I am prepared to sit even on a Sunday, but I do not know how the House would like that idea.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, even God takes rest on that day; why should'nt we?

Mr. President: What I meant was that if really the matter was of that importance it will be up to us to sacrifice this or that little convenience or to suffer inconvenience and make the best possible effort to come to a conclusion. Not knowing the merits of the case, I do not know how far that is possible. As no date was mentioned in the motion it is not necessary to have a motion now. Will the report be circulated on Friday?

The Honourable Sir Archibald Rowlands: No, Sir, I hope it will be done on Thursday morning I will keep the printers up all night.

Mr. President: So provisionally we fix Thursday for the presentation of the report.

Lt.-Col. Dr. J. C. Chatterjee (Nominated Non-Official): Does that mean, Sir, that the House will not sit on Saturday?

Mr. President: The position is that the best possible effort will be made to have the report presented on Thursday; if that is done, the House will sit on Saturday.

Lt.-Col. Dr. J. C. Chatterjee: So the sitting on Saturday is provisional?

Mr. President: It is provisional in the sense that we do not know yet whether the report will be presented on Thursday. But if it is done on Thursday, a sitting on Saturday is a certainty; and it has already been fixed as an official day.

MOTION FOR ADJOURNMENT

REFUSAL TO INCREASE PRICE OF FOODGRAINS OFFERED TO AGRICULTURISTS

Mr. President: I have received notice of a motion of adjournment from Sri Venkatasubba Reddiar who seeks to censure Government for refusing to increase the price offered for foodgrains to the agriculturist as it discourages cultivation of food crops. I should like to know something about the urgency of this matter.

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, we are facing a very grave situation. The food supply in the country is short. During the food debate the Food Member gave an undertaking when this question was specifically raised that he will look into this matter. But from a report published yesterday in the press which I have with me—the *Free Press Journal*—I find that the Secretary of the Food Department has taken to task some of the Papers which advocated higher prices for foodgrains. This is what the report says:

"In conclusion, Mr. Sen suggested that the line taken by a section of the press advocating higher prices for foodgrains was inopportune."

I submit in this connection that if sufficient inducement is given to the producer he will be able to produce before we expect imports from Washington or Canada or any other place. There is a variety of paddy which can be grown in ninety days and we will have that crop if sufficient encouragement be given to the producers. I want to bring it to the notice of Government and censure them for this attitude.

Mr. B. R. Sen (Secretary, Food Department): Sir, I submit that this is not a proper subject for an adjournment motion. I made a specific reference to this subject in my opening remarks during the food debate and this subject was debated upon. An amendment to my motion was moved and it was carried. The amendment was to this effect:—

"That Government should take immediate steps to increase the production of foodgrains in the country by granting substantial subsidies to producers and by restricting, if not prohibiting, the cultivation of crops other than foodgrains on lands where food crops can be grown. . . . . ."

The amendment was that Government should encourage production of foodgrains by subsidies, not by increasing the prices. It is the view of the Food Department that when the country is faced with shortage, it will be fatal to try and meet the situation by increasing prices. That has been our experience in 1943. The Honourable Member has referred to what I had said at a conference. I explained clearly at the Conference how the Bengal famine in 1943 was very largely due to the breakdown of public confidence and to the high prices which prevailed at that time. I made a reference to the sectional famine in Bengal; certain classes of people were unable to purchase foodgrains even though foodgrains were available in their areas. It is our considered view that raising of prices is no solution to the problem with which we are faced.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): The Honourable Member has referred to one amendment which was passed here. There was another amendment also which was passed, namely that the Government should assure remunerative prices for the producers of foodgrains so as to encourage them to produce more foodgrains and make India less

spendent on imports. My Honourable friend has not referred to that at all. ir. I do not wish to enter into arguments, but I only wish to say that food ops can be grown in even less than three months, and we suggested through his amendment that sufficient inducement should be given to the foodgrain roducers to produce more. But the attitude which the Government and y Honourable friend are taking and have displayed even just now, goes irectly against giving any sort of encouragement at all to the production of ore foodgrains and food crops. Therefore, I think, my Honourable friend ill be right in asking the leave of the House to adjourn so that we can censure this attitude of the Government which does not at all help towards the roduction of more foodgrains in this country.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): May I say a word on this, Sir? I cannot understand why this djournment motion is at all necessary because if a summary is prepared . . .

Mr. President Will the Honourable Member speak a little slowly? He is oo fast for me.

Mr. Muhammad Nauman: I said, I cannot understand why this adjournment motion was thought necessary because if the Honourable Member would ake the trouble to study a summary of the speeches that were made in this louse,—not only during this Session but in previous Sessions as well,—on he food debate, he will find that it was made absolutely clear that prices ave got to be restricted . . . .

Prof. N. G. Ranga: No.

Mr. Muhammad Nauman: . . . . and production has to be encouraged hrough subsidies and other methods; I think it would be fatal to increase he price any further as it is already four times the pre-war rate.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammad Rural): Sir, we are not concerned with what the Honourable Members said before the final conclusion was reached. The final conclusion is the Resolution, and the Government is bound to obey that Resolution and carry out the wishes of this House. In spite of the opening remarks of the Secretary, Food Department, and in spite of the observations of Honourable Members like Mr. Muhammad Nauman we are more anxious about the consumers than about the agriculturists who produce. The Resolution which was passed by this House provided that remunerative prices should be given so that we may produce more foodgrains and make India less dependent on imports. We should produce foodgrains in less than three months instead of carrying the begging bowl to Australia and other places. The Honourable the Food Secretary has flouted the Resolution, and we want to censure him.

Mr. President: It is not for me to disucss the merits of the case. I think here was an amount of discussion over this aspect during the food debate, nd what appears to me is that the question of remunerative prices is ifferent from the question of increased or high prices. The two are not necesarily co-extensive. Any way, whatever the merits of the question, I really o not know or understand the urgency about this matter in spite of the food ituation. It is a matter for discussion, and I am not inclined to think that his is really a matter of urgency at all. If the object is merely to censure he Government, that is not going to help the food situation any further. (Interuptions.) Order, order. My point is this: If the urgency is not to be placed n the ground of an opportunity to censure the Government, that hardly helps he growing of foodgrains.

Prof. N. G. Ranga: Government is going against the Resolution.

Mr. President: The Resolution says this:

"This Assembly urges upon the Government to take immediate steps to increase the duction of foodgrains in the country by granting substantial subsidies to producers and y restricting, if not prohibiting, the cultivation of crops other than foodgrains on lands here food crops can be grown, until the country becomes self-sufficient in foodgrains."

[Mr. President]

I shall read from the beginning:

This Assembly expresses its dissatisfaction at the failure of the Government of India—

(i) to import adequate supplies of foodgrains for building up a reserve and meeting the needs of deficit areas, and

(ii) to assure remunerative prices for the producers of foodgrains so as to encourage them to produce more foodgrains and make India less dependent on imports;"

The Honourable the mover has based his case on something which the Secretary, Food Department, said in a conference. That is entirely a different matter; that is the view of the Secretary. The question would be, as it is argued now, as to whether this particular Resolution of the House is flouted or not, but it does not seem from the adjournment motion that that is the case. Then it proceeds further:

"This Assembly—

(b) records its grave apprehension that, unless substantial imports are immediately made available, a situation will arise, particularly in the Southern and Western parts of the country, in which the existing ration, which is already inadequate, will be endangered and large sections of the people will face starvation; and

(c) urges upon the Government—

(i) to take steps to obtain independent representation for India on the Combined Food Board,

(ii) to so reorganise its procurement and requisitioning of foodgrains, as to eliminate the existing arbitrariness, corruption and oppression of peasants and to leave with peasants adequate quantities of foodgrains for their family and labour consumption and to obtain the wholehearted co-operation of the peasants in all their procurement and price-fixing operations.....and so on."

All these things are there, but I do not think they are really now a matter of urgency after three days of food debate. Therefore, I do not think I could give my consent to this.

Sri R. Venkatasubba Reddiar: Sir, I will explain the urgency . . . .

Mr. President: Order, order.

Sjt. N. V. Gadgil (Bombay, Central Division: Non-Muhammadan Rural): They can flout the opinion of this House in any way.

Khan Abdul Ghani Khan (North-West Frontier Province: General): Will you please define 'urgency'?

Mr. President: There can be no problematic discussion of urgency. As I have stated so many times, each motion will have to be judged on its own facts. I have already explained the reason why I do not consider that it is a matter of such an urgency as to allow the regular course of the order of the debate to be disturbed by another matter being brought in. The real object of an adjournment motion is that there is something really so urgent and so important that one is justified in interfering with the regular proceedings of the House. If adjournment motions are coming every day and become too common, the motions themselves lose their force. That is also one of the aspects which Members have to take into consideration. Perhaps this view may not be agreeable to some Honourable Members of this House, but that is how I look at it; and therefore I do not look upon this as a matter of urgency. It is a standing matter; it is urgent in a different sense, but not in the sense in which adjournment motions are allowed.

Sjt. N. V. Gadgil: May I bring to your notice that though, as the Honourable President, you have given a ruling whether the motion is urgent or not, at least sufficient time should be given to those who have tabled, or on whose behalf an adjournment motion is tabled to argue it out. We are of the impression that the motion is really urgent.

Mr. President: Order, order. I think sufficient time has been given.

Prof. N. G. Ranga: They are only causing a food look out!

Mr. President Order, order.

Prof. N. G. Ranga: These people in Delhi should be starved. Then they will know!

Sjt. N. V. Gadgil: Hang them all!

Mr. President Order, order.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR HEALTH DEPARTMENT

Mr. President: I have to inform the Assembly that upto 12 Noon on the 13th February, 1946, the time fixed for receiving nominations for the Standing Committee for the Department of Health, eleven nominations were received. Subsequently one member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected to the Committee during the unexpired portion of the Financial year 1945-46 and for the Financial year 1946-47: (1) Mr. E. L. C. Gwilt, (2) Lt.-Col. Dr. J. C. Chatterjee, (3) Khan Bahadur Sharbat Khan, (4) Dr. G. V. Deshmukh, (5) Mr. P. B. Gole, (6) Maharaj Kumar Dr. Sir Vijaya Ananda, (7) Mr. B. S. Hiray, (8) Mr. Sasanka Sekhar Sanyal, (9) Sir Hassan Suhrawardy, and (10) Khan Bahadur Raja Mohammad Amir Ahmad.

ELECTION OF MEMBERS TO INDIAN CENTRAL TOBACCO COMMITTEE

Mr. President: I have to inform the Assembly that upto 12 Noon on the 13th February, 1946, the time fixed for receiving nominations for the Indian Central Tobacco Committee, three nominations were received. Subsequently one member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected to the Committee.

(1) Mr. Muhammad Rahmat-ullah, and (2) Mr. Satya Narayan Sinha.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR HOME DEPARTMENT

Mr. President: I have also to inform the Assembly that upto 12 Noon on the 13th February, 1946, the time fixed for receiving nominations for the Standing Committee for the Home Department, eleven nominations were received. Subsequently one Member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected to the Committee for the unexpired period of the Financial year 1945-46 and the Financial year 1946-47:

(1) Mr. P. J. Griffiths, (2) Raja Sir Saiyid Ahmad Ali Khan Alvi, (3) Col. Kumar Shri Himmat Singh, (4) Mr. M. Asaf Ali, (5) Sri M. Ananthasayanam Ayyangar, (6) Shri Sri Prakasa, (7) Sjt. N. V. Gadgil, (8) Mr. Muhammad Ismail Khan, (9) Mr. Tamizuddin Khan and (10) Haji Abdus Sattar Haji Ishaq Seth.

ELECTION OF MEMBERS TO STANDING COMMITTEE ON PILGRIMAGE TO HEJAZ

Mr. President: I have further to inform the Assembly that upto 12 Noon on Wednesday, the 13th February, 1946, the time fixed for receiving nominations for the Standing Committee on Pilgrimage to the Hejaz, eight nominations were received. Subsequently three members withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected:

(1) Khan Abdul Ghani Khan, (2) Syed Ghulam Bhik Nairang, (3) Sir Hassan Suhrawardy, (4) Mr. Mohammad M. Killedar, and (5) Khan Bahadur Raja Mohammad Amir Ahmad.

INSURANCE (AMENDMENT) BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I move:

"That the Bill further to amend the Insurance Act, 1938, as reported by the Select Committee, be taken into consideration."

In my speech in moving the consideration of this Bill, I explained the purpose of the Bill as introduced in this House and after a debate the House decided for reference to Select Committee. The Select Committee in their

[Dr. Sir M. Azizul Huque]

sittings for two successive days carefully considered the various provisions of the Bill and also the amendments that were tabled in the House and certain changes were made by the Members of the Select Committee. There have been certain alterations, slight though they are, from the Bill which was introduced in this House. The first thing is about the clause dispensing with the qualifications of the Superintendent of Insurance. The Select Committee were of opinion that the original section of the Act should remain, but if there is any difficulty in the appointment of the next incumbent that should be temporarily dispensed with: or, in other words, the section might be suspended for a limited number of years and the Select Committee thought it should be up to 31st December 1953.

Then, Sir, there is a clause in which the jurisdiction between the co-operative and the mutual as against the insurance and provident societies was slightly altered while retaining the power of the Superintendent to exempt societies which are run strictly on co-operative lines or societies run on principles of strict mutuality, the Select Committee also decided that whereas the present law leaves it to the discretion of the Superintendent of Insurance, it should be prescribed by rules framed in the Act.

The principle limit of annuities and sums assured were also slightly changed and as at present, the 'no man's land' will be about Rs. 100, *viz.*, as between Rs. 900 to Rs. 1,000 within which respective societies will function. There has been only a slight change also as regards the maximum fee which should be charged for receiving a duplicate certificate and the other clause is that a provision has been made by which there must be an appeal against any order by the Superintendent of Insurance directing the amalgamation of provident societies or transfer of business from one society to another.

Then, Sir, the time by which the list of investments representing the assets of a company have to be submitted has been slightly extended, as also the time to supply the materials to an actuary has also been slightly extended.

There are very minor changes. In fact the Bill, except in one clause in which my friend has returned to the attack once again after doing his best in the Select Committee is practically the same and the consensus of opinion is that this should be gone through

I do not want to take the time of the House. I have tried in a very few words to explain the slight changes made by the Select Committee. Sir, I move.

Mr. President: Motion moved:

"That the Bill further to amend the Insurance Act, 1938, as reported by the Select Committee, be taken into consideration."

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): I also wish that the Bill should be taken into consideration. We discussed the provisions of the Bill at the earlier stage. After its return from the Select Committee the changes that the Bill has undergone are not many. There are one or two changes of substance and in respect of one I still hope to convert my Honourable friend on the other side to my view. I shall state that though I agree to some of the changes suggested by the Government in the Select Committee, I still want to strike a note of caution with respect to the carrying out of this provision primarily with regard to the qualifications for the Superintendent of Insurance. In the Act of 1938 as it stands, it was a necessary qualification for a Superintendent to be an actuary. We have had the advantage of an actuary who unfortunately is very soon leaving the Government of India. Therefore it appears that the Government is short of hands, and the actuaries who are qualified persons, though there may be fifteen only in number in the huge continent of India, do not appear to be sufficient either on account of age or experience and possibly not one of them is able at present to handle that post. That is the case of the Government Whatever it may be I would like that immediately an actuary should be appointed. Anyhow as the Government feels difficulty in appointing one, I would like that a period of five or six years, as the Government wants, may be granted on one assurance—of course, an assurance granted to-day by this

Government or by an Honourable Member may not be an assurance for all time: but whoever may take up this subject later on and may be faced with this difficulty—that this concession was a departure from the qualifications insisted upon in the Act of 1938. I therefore want an assurance from the Honourable Member that after five or six years an actuary will certainly be appointed. After my return from the Select Committee I have gathered a lot of opinions and my friends are of the view that a mere actuary is not enough, for this reason that there are many things which have to be done by a person with experience. Therefore these five or six years will also give us an opportunity to find out whether it is not desirable to have a composite section, the Superintendent being a non-actuary assisted by actuaries, or being an actuary assisted by other persons who can have an outlook apart from mere statistical ability. I do hope that in the closing speech of my Honourable friend he will make it doubly clear that he will insist upon an actuary being appointed with the necessary qualifications, next time when it falls vacant and the appointment that is made in the interregnum will be purely temporary. That gentleman ought not to lay claim to continue to stick to the post, when other competent men may be available at the time. That is all I have to submit so far as the qualifications of the superintendent are concerned.

I come to my own vexed question of a married woman, her rights under the Insurance Act. When the clause is taken up I will make further observations. In any case I do not want to repeat my arguments. My only point is that the Honourable Member will consider that there are certain rights preserved for a married woman under this Act of 1938. A policy-holder is absolutely entitled to the benefits of his policy, which is his property. He can sell, mortgage or will it away to anyone he likes. He can pledge it for purposes of the race course. Or he may fix his love or affection on some other woman and will the policy away. But if he makes a nomination in favour of somebody, that nomination will give a right to that nominee only after his death. During his lifetime he can deal with it as he likes. But if the nominee happens to be a wife or the children, then a trust is created under the existing act. It is no longer open to the policy-holder to deal with with the policy as he likes . That becomes a trust and he is protected against himself and is also protected against creditors. That is a family provision. My Honourable friend has sought to modify it by allowing an option to the policy-holder or to the assured of either giving the benefit of trust in favour of his wife or children or to anybody else. They are also ordinary nominees, little better than others. I am sure my Honourable friend who sits behind me, the lady member on whom I rely for supporting my amendment to this particular clause and reinforcing my arguments when she rises to speak, and also the other lady member, who has come into the Assembly recently (unfortunately neither of them are either in front of me or behind me) . . . . .

Mr. President: One of them is in front of you.

Sri M. Ananthasayanam Ayyangar: I am so glad. I am sure they will rise in their seats at the proper moment to support the retention of the original clause.

Then there are certain technicalities in regard to procedure. After the assured passes away, the money has to vest in the official trustee and then he passes it on to the wife or the children. At this stage the official trustee, a host of clerks and lawyers come in and many charges are made. By the time the money passes into the hands of the nominee for whose benefit the policy was taken some 50, 60 or even 75 per cent. go away. That is the provision of my Honourable friend. I have tabled an amendment to get over that difficulty. It is open to the Assembly to modify the procedure and make the money payable straightaway without detracting from the nature of the policy being a trust for the wife and the children. I hope my Honourable friend will consider the amendment. I will make my further submission later as to how it is a matter of substance, not merely of form. So far as the substance is concerned I would beseech the Honourable Member not to interfere with the

[Sri M. Ananthasayanam Ayyangar]

wholesome provision that has been there since 1874. And as to form I hope with his assistance there will be no more difficulty in passing it: that as soon as the policy matures the money should be paid straightaway to the persons who were nominated.

There are one or two further amendments that I have given and at the proper time I will make my fuller submission. But at this stage I would only make one observation. When a policy lapses under the Bill as was provided originally and even as it emerged from the Select Committee, the policy lapses if the agent who was instrumental in getting that policy taken by an assured, if that man sleeps over it and does not have it renewed (it has to be renewed only by a medical certificate), any other agent, who is alert, can get it renewed in which case he shall be given half the premium or half the future premium. I find that that applies under the old sections of the Act to policies whose life has not been more than three years. After three years there is no question of lapse. Therefore I have tabled an amendment so as to cover this. I have given this advantage to all agents who might try to revive policies even after three or four years and even policies of many years' standing. I am sure that the Honourable Member will see that it does not run counter to the objects with which he framed this amendment to the original act.

My Honourable friend is a layman like myself. The Honourable Member who sits behind him, the Superintendent of Insurance, was anxious to impose heavy penalties rising from Rs. 50 in one case to as much as Rs. 1,000. Agents who are anxious to canvas or to induce some one to take a policy might offer to forego their commission. There are already penalties if an agent misbehaves in that manner, if he parts with a portion of the premium due to him. That is sought to be discouraged under the Act. For any single act the fine is Rs. 50 and it is sought to be enhanced to Rs. 1,000, both with respect to the agent as well as the assured. I would like that the amount should be reduced. It is sufficient penalty for the agent to put him under the threat of dismissal or his licence being cancelled. That is so far as the agent is concerned. But the man who takes a policy is a layman and may not know the implications and I feel therefore that the penalty of Rs. 1,000 is too high. In other respects there are not many things of substance here and I am only awaiting with very great eagerness to see the final form. Almost every day I am receiving thousands of telegrams and representations. I shall be only too glad to see that this Bill is pushed through as early as possible.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Sir, I do not know if it is worth while replying to all the points the Honourable Member who preceded me has raised. He is going to move his amendments and we shall then get a chance of speaking on them. Arguing obstinately in the way in which the Honourable Member does, does not lead us anywhere. He has spoken and spoken in the Select Committee and in the House and yet he says he will speak more fully later on. I do not know what he is going to speak.....

Sri M. Ananthasayanam Ayyangar: You will get disillusioned.

Mr. Abdur Rahman Siddiqi: The main point where he gives up the ghost is when he says he is a layman and that he does not understand. That is why there is this long-drawn argument which does not help either the companies or the agents or the insured or anybody. I would therefore request him to be guided by people who are in the business, who understand the rights of the insured as well as those who insure them and who are not, as I said in an earlier speech, all *badmashes*. That we have black sheep among us I have admitted. He has raised the point again, and at such terrible length, about the superintendent of insurance being an actuary. The present amendment does not stop an actuary from becoming a superintendent; but as India has not got enough actuaries I see no reason why a non-actuary should not be a superintendent. His view that an actuary should be the superintendent, and an

administrative officer should be his assistant and *vice versa*, again shows that he has not got a clear grasp of the actual situation as a person who knows about insurance. Therefore, as and when he does. . .

Sri M. Ananthasayanam Ayyangar: One personal remark, Sir. Modesty seems to be a crime with my friend.

Mr. Abdur Rahman Siddiqi:.....and immodesty evidently seems to be a crime—immodesty in the sense of talking long and talking without a convincing argument to convince us of what he is saying a crime with him. I could use immodest and modest words about his eloquaciousness—I shall not do it; but I am mortified at the idea of the fuller explanations he is going to give as and when he moves these amendments. The best brains in the country had gone through this Bill; he too had a chance and in the select committee we had the advice of an actuary of the highest eminence in the country. I do not know what is wanted except that some pages of the printed reports of this Assembly will have names and arguments which will be laughed at outside this House by insurance people. I would therefore support the motion of the Honourable Member that the Bill be taken into consideration and passed at the quickest possible speed, so that we can take into consideration the other and bigger Bill as and when it is proposed during this session.

The Honourable Dr. Sir M. Azizul Huque: Sir, I do not think any reply is needed from me. All I can say is that my friend, Mr. Ayyangar realises that life is rather short and we have been behind these small minor amendments for not one year but for a little over two years. I agreed to have this select committee because I think this matter ought to be thrashed out across the table. My friend was there; distinguished members of the Assembly were there; and I feel that, although I may be condemned as not belonging to a responsible part of the constitution, it is only fair that the convention should grow in Government that if there is a recommendation of a select committee which is in consonance with the policy adumbrated in the Bill, that should be stuck to. I would therefore try to stick to the provisions as recommended by the Select Committee in this measure, unless my friend can convince the Members of the House that his amendment is desirable as against the definite recommendation of the select committee. As regards the assurances he wants, I have assured him repeatedly that Government realises the task which will be required of a superintendent of insurance, not merely today, but in future years. Having regard to that, Government would certainly not put in an automaton who will not understand either the actuarial calculations or the insurance business itself. I think the fact that this Government took care to find out Mr. Vaidyanathan, who is one of the distinguished actuaries in the insurance world is proof indicative of the fact that Government does not exercise that indiscretion which my friend apprehends. I do not know what the future will be, but we have done so so far to find out the best man; and at least for the short period I am here we shall carefully exercise that discretion with which in this Department we have been vested about these appointments.

Mr. President: The question is:

"That the Bill further to amend the Insurance Act, 1938 as reported by the Select Committee, be taken into consideration"

The motion was adopted.

Mr. President: Clause 2: I find there are a number of amendments by the Honourable Member, Mr. Ayyangar.

Sri M. Ananthasayanam Ayyangar: I am not moving any of the amendments standing in my name.

Mr. President: I find that his amendments also stand in the name of Mr. Venkatasubba Reddiar: perhaps he also agrees with the Honourable Member that they should not be moved?

Sri M. Ananthasayanam Ayyangar: He does not wish them to be moved, Sir.

The Honourable Dr. Sir M. Azizul Huque: On a point of order, Sir; as regards this amendment, my friend has given notice of an amendment which is exactly as the original Act itself. His definition of a policy-holder is nothing more than what is in the Act itself. When an Act is sought to be amended by a Bill, can he by an amendment say that he wants the provision of the original Act to be incorporated in the Bill? I do not know. Of course, about the second part, I have nothing to say except that I would request my Honourable friend not to press it.

Sjt. N. V. Gadgil (Bombay Central Division: Non Muhammadan Rural): It has not yet been moved!

Sri T. V. Satakopachari (Tanjore *cum* Trichinopoly: Non Muhammadan Rural): Obviously my friend the Honourable the Mover has not completely read my amendment. With due deference to my Honourable friend, Mr. Siddiqi, I am not prepared to concede the monopoly of brains to him for either drafting this Bill or to the Select Committee who have looked into the matter. I still think that the House and Members of this House have got a right to suggest improvements, if any, and it is for this House to consider. I will read my amendment: I move—

"That for clause 2 of the Bill the following be substituted, namely :

'2. *Amendment of Section 2, Act IV of* 1938.—In Section 2 of the Insurance Act, 1938 (hereinafter referred to as the said Act),—

(a) Clause (2) shall be re-numbered as Clause (13) and clauses (3) to (12) shall be re-numbered as clauses (2) to (12) and for clause (13) as so re-numbered, the following clause shall be substituted. . . . .'."

Section 2, Sir, always happens in all Acts to be the definitive section, and usually we have got an alphabetical arrangement of the order, which is to facilitate easy reference. I know the difficulties which we feel as practitioners. My Honourable friend Mr. Siddique thought that there was only one set of persons to be considered in the matter, that is the insurer and he probably would concede a little more for the assured. There is, however, the Court which has got to interpret the law and there are the lawyers who have to help the Court in interpreting the case. Considerable difficulties are likely to arise from clumsy and bad drafting, if it does not incorporate the intentions of the Legislature well. If the alphabetical order is departed from in a hurry, we will find that the definition is not in its proper place. When you are about to pass an Act, is it not wise to conform to the general principles of legislation. What I suggest is a formal thing and if it could be done at this stage, there will be no difficulty. So, I would move the first portion of my amendment—that the definition of policyholder shall be re-numbered, so as to make it alphabetically correct. May I move the other amendments?

1 P.M.

Mr. President: The Honourable Member might move the whole amendment. I will put it to the House in parts.

Mr. T. Chapman-Mortimer (Nominated: Non official): On a point of order. I submit it is this kind of amendment which leads to confusion. I would suggest that if it is proposed to accept part (a) of the amendment by re-numbering clauses, the correct time to do it is at the third reading and not to confuse the issue at this stage where issues of principle come in. A lot of amendments being made in this Bill got into the original Act precisely because Government, on the floor of the House, accepted parts of an amendment and that is how these various mistakes arose. I would respectfully suggest that the matter be dealt with at the third reading as regards the re-numbering of the clauses.

The Honourable Dr. Sir M. Azizul Huque: As regards the re-numbering, that might be left over to a later stage. It is not merely this section. There are so many things which will come up later on that it is better that the Act is looked into from that point of view later on. I can promise that after the two Acts are gone into by this House I will have this question of re-numbering of the whole Act looked into. Otherwise we may have snags.

There might be a reference in one section to a particular clause and changing it without making correspond ng changes in other places will mean the upsetting of the whole scheme. That is why I suggest that the question of re-numbering is a matter which should be looked into as a whole after both the Acts have been dea't with.

Sri T. V. Satakopachari: I have no objection.

Mr. President: The position stands like th's. There is a difference between what Mr. Chapman-Mortimer says and what the Honourable Member in charge of the Bill is suggesting. He wishes to have another Bill.

The Honourable Dr. Sir M. Azizul Huque: The whole question will be looked into at a later stage if necessary by the Legislative Department.

Sir George Spence (Secretary, Legislative Department): It would normally be done in a Repealing and Amending Bill.

Mr. T. Chapman-Mortimer: My only object in raising the point was that Government would not, and the House would not, at this stage accept amendments roughly prepared on the floor of the House; because it leads to disaster in the end I do not mean "d'saster" literally. It leads at least to confusion.

Mr. President: As regards the suggestion to have the amendment at the third reading, I find a little difficulty about it as to whether it will properly be an amendment for the third reading of this Bill. That is why I was thinking of permitting it at this stage; but if the whole question of re-numbering is to be gone into by a separate piece of formal legislation, as the Honourable Member has said, I think that will be a better arrangement. Then he does not move whole of part (a) of the amendment. Some part of part (a) will have to be moved.

The Honourable Dr. Sir M. Azizul Huque: This is the nature of a negative amendment. What he wants by way of an amendment is exactly what is in the original Act.

Mr. President: Let him first move the particular amendment which he now wants to. His amendment would be:

That for clause 2 of the Bill the following be substituted, namely, "2" and so on.

Instead of 13, 2 will come in:

"policy holder" includes the person who is or becomes, etc.

Sir George Spence: As regards the Honourable Member's amendment, he says that 'for clause 2, the following be substituted' and then he sets out exactly what is now in the Act The right way of doing that is to adopt the formula in the amendment of Mr. Ananthasayanam Ayyangar and say that sub-clause (a) of clause 2 of the Bill be omitted. That will leave the definition of policy holder in the Act unchanged. That is what he wants.

Mr. President: I had that point in mind. The difficulty has been created by the drafting of clause 2 of the present Bill. Clause 2 of the present Bill seems to amend two definitions and the present amendment deals with half part of that. So it is not possible to say that the present amendment is a direct negative of the entire clause.

Sir George Spence: May I make a submission. Clause 2 of the Bill has two sub-clauses. Sub-clause (a) makes an amendment in clause (2) of section 2 of the principal Act. The Honourable Member purports to amend clause (2) of section 2 of the principal Act but in fact he says 'the following clause be substituted' and then sets out exactly what is now clause (2) of section 2 of the principal Act. That is to say, policy holder includes the person who is the absolute assignee of the benefits. The Honourable Member's amendment in this form will simply be—for clause (2) of section 2 of the principal Act the following shall be substituted and it will purport to substitute exactly what the clause now is and I again submit that the right course is to adopt the formula in Mr. Ayyangar's amendment—to omit sub-clause (2) of clause 2 of the Bill. Then the Bill will leave this definition in the principal Act alone.

Mr. President: Then the objection is as regards the form; not of substance.

The Honourable Dr. Sir M. Azizul Huque: Except that it is in a negative form. That is a matter for you to decide.

Mr. President: As regards the negative effect of it, as I have just pointed out, as two sub-clauses are included in the same clause, I do not see why a Member should not say that in a particular portion of the proposed Bill a particular part be omitted. So, it cannot be rejected on the ground of its being a negative but as regards the form I follow what the Honourable Member has said.

Sir George Spence: Sir, I must apologise for the fact that I have been misled. I thought that the Honourable Member's formula was exactly the same as the formula in the Act, but I now find it is not. I see he puts in "who is *or becomes* the absolute assignee", whereas in the Act, it is "who is the absolute assignee". If the Honourable Member's motive is to put in the words "or becomes", then his amendment as drawn is all right but I do not know whether he really wants to put in the words "or becomes".

Sri T. V. Satakopachari: That is precisely what I wanted to state. The amendment is not there in the Act. Instead of the words in the Act and instead of the words suggested as amended by the Select Committee, I suggest some other wording which might become operative in the Act.

Mr. President: The Honourable Member may move his amendment.

Sri T. V. Satakopachari: Sir, I move:

"(13) 'policy holder' includes the person who is or becomes the absolute assignee of the entire benefits under a policy."

This is the amendment suggested by me. The wording in the Act is:

"(2) 'policy holder' includes the person who is the absolute assignee of the benefits under the policy."

Mr. President: That has been cleared by Sir George Spence. The wording is there.

Sri T. V. Satakopachari: I will just mention the reasons why I want my amendment. I have put in only two words. I have put in the words 'or becomes' and also "the entire". Now, Sir, there is no definition of 'policy holder' in the Act. I find in the English Act, the corresponding Act being the Assurance Companies Act of 1909, there is this definition of 'policy holder'. A 'policy holder' is defined as a person who for the time being is the legal holder of the policy for securing the contract with the assurance company. At first I thought that such a definition can be incorporated. I found that it was neither exhaustive nor accurate. It was found to be so by the English courts. For instance, I might mention that a *cestui que trust* may be the legal holder, but he may not be entitled in his own name to sue. The language of the definition may not cover him. Even an equitable mortgagee by depositing the deeds may be there a 'legal holder'. But he is not so in India. So, I can understand that the definition is omitted. But then we know very well that when the statute says 'means', the meaning is always in a restrictive and definite sense. That is, it can not mean anything else. But when the statute says, 'means and includes', the word 'includes' incorporates an extension of the definition. I may mention, for instance, the definition of "'man' includes 'woman'." But normally the word 'man' will denote only the 'male human being', but when it says, 'includes', then the term is extended into a meaning which is not used in common parlance, but which is necessary as a term of art. Like that, I can understand if you use the word 'includes' and enlarge the scope of the definition. I am afraid the Select Committee has not enlarged the definition of 'policy holder', albeit it uses the word 'includes' and it has restricted the word. As a

matter of fact, that is why my amendment is necessary. Now the amendment suggested by the Select Committee says:

"policy holder" includes a person to whom the whole of the interest of the policy holder in the policy is assigned once and for all. . . . .

Sir, I had great difficulty when I found the words 'once and for all'.

Mr. President: The House will now adjourn for Lunch. The Honourable Member may resume his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Sri T. V. Satakopachari: Just before the House rose for lunch, Sir I was trying to put before the House the proposition enunciated clearly by Lord Esher in the well-known case of Gough *Versus* Gough that when a Statute says "means" the Statute restricts its meaning and when it says "includes" it extends its meaning. I was trying to point out to the House that the proposed amendment, while it says it includes a particular meaning really restricts the application of the definition, and that is what I am pointing out is not correct. I would suggest that the amendment I propose in substitution is a word of extension and therefore it expresses the idea much more clearly and brings into its scope several persons who have rights to sue as policy-holders, several persons who have the right and who should be given the right. I shall take the amendment suggested by the Select Committee and point out where I find it deficient. This is what is suggested: "Policy-holder includes a person to whom the whole of the interest of the policy-holder in the policy is assigned once and for all". Now, I really cannot understand the expression once for all to mean except what it literally means, that is, once—at one time—and for all—for all the time I mean if an assignment is to be made and the assignee is to become policy-holder, it will mean that the assignment would have to be made once and for all, that is to say, completely and absolutely at one time. You cannot have assignments in portions relating to the same person. I shall try to make it clear. Now a man assigns his policy, or assigns half the interests of his policy, to his daughter, say. He expects to have a son to whom he would like to pass the other half. If he has no son he might like to pass the other half also to his daughter. Eventually there comes a stage when he cannot have a son. So he assigns the other half also to his daughter. Then, is the daughter not a person who is a policy-holder, because she has had her assignments in two portions? I mean the phrase "once and for all" is a phrase which attaches to the tempo and not to the quantum or share. Now, the law recognises assignments in portions. It need not be to the same person. It may be to several persons, but at the same time it may be to the same person. Suppose it is the same person and he or she qualifies and becomes an absolute holder, an absolute beneficiary. Is that person going to be a policy-holder at all or not? It seems to me that the definition suggested by the Select Committee will exclude such persons. And it will be wrong because the result will be that such a person will be absolutely entitled under a policy under those circumstances though in portions, but that person will not be a policy-holder. When the time comes for suing—I take it that the assured dies—the heir of the assured will be entitled to sue. He will be the policy-holder, but the beneficiary will be the person who has had the assignment now completed in full. That creates an anomaly and I wish to avoid it, Sir. That is why I thought that the expression "once and for all" restricts its scope and it is inadequate.

I shall come to the second part. This is what it says: "but does not include an assignee thereof whose interest in the policy is defeasible". The word "defeasible" is a word with which both courts and lawyers have found it not feasible to deal easily.

[Sri T. V. Satakopachari.]

Then it says "or is for the time being subject to any condition". The words "for the time being" are new insertion. Are we to say that a person who was not a policy-holder at a particular stage will become a policy-holder at a further stage and so on? I mean it introduces a confusion, and I am afraid that the amendment, as it reads as a whole, will create a lot of litigation about who is a policy-holder and who will be entitled to sue.

Now, the amendment I suggest seems to me to be better and I commend it to the consideration of the House. That is, if the House thinks that only full assignees should be entitled to become policy-holders to be able to exercise the right of policy-holders, then I think the amendment that I have suggested fills the bill much more. In my amendment I have sought to incorporate the words "or becomes". That is to say, it recognises a person as a policy-holder if that person is the original contractee. If he is not, if the person is an assignee, then, if the assignment is conditional or contingent or successive, if it is singular or plural, if there are many persons one behind the other, if that person qualifies 'supposing the contingency is fulfilled or satisfied', then, if the words "or becomes" are added, it will make the person entitled to become the policy-holder. So, I would submit that the inclusion of the words "or becomes" satisfies the intention much better than the words suggested by the Committee.

It also excludes by indication a person who is not an absolute assignee of the whole interest, that is if he is not an absolute assignee or does not become an absolute assignee. So, a person who is not an absolute assignee is now excluded. If he becomes an absolute assignee later on, then he qualifies himself to be a policy-holder. That will be quite sufficient, and the House very well knows the proposition "*Expressio unius est exclusio alterius.*"

If you express a particular thing in a particular manner, then all other inconsistent things which cannot go along with that will be excluded. So, I would submit that the amendment that I have proposed for the definition of the policy-holder is better and I commend it for adoption by the House instead of the amendment suggested by the Select Committee.

Then I pass on to the third part of my amendment, *viz.*, clause (b). There I have tried only to put the thing in clause (15) in better language than the Select Committee have used. The Select Committee's amendment is:

"in clause (15), after the words, 'who shall' the words and figures 'after the 31st day of December 1953' shall be inserted."

Now clause (15) of section 2 with this amendment would read thus:

"Superintendent of Insurance" means the officer who shall, after the 31st day of December 1953, be a qualified actuary appointed by the Central Government to perform the duties of Superintendent of Insurance under this Act."

It is not clear whether the date refers to the date of the appointment or to the date of the qualification. If a person qualifies himself before that date will he be excluded? Therefore I suggest, with due deference to the members of the Select Committee and the Mover, that the language is not happy, and therefore I have proposed my amendment which better expresses the idea which lies behind the amendment suggested by the Select Committee. With regard to the period mentioned there might be difference of opinion in the House, but I do not believe that we are constrained to adopt the *ipsissima verba* of what the Select Committee has done. We are entitled to change it and it is a change for the better. Even though it is a verbal change I would invite the House to consider it and adopt the amendment I have suggested. Sir, I commend my amendment to the House.

Mr. President: With the consent of the Honourable Member I will put his amendment in a slightly amended form; he will kindly follow what I am reading.

Amendment moved:

"That for clause 2 of the Bill, the following be substituted, namely:

'2. *Amendment of Section 2, Act IV of* 1938.—In section 2 of the Insurance Act, 1938 (hereinafter referred to as the said Act),—

(a) for clause (2) the following clause shall be substituted, namely:

"(2) 'policy-holder' includes the person who is or becomes the absolute assignee of the entire benefits under a policy";

(b) for clause (15) the following shall be substituted, namely:

"(15) 'Superintendent of Insurance' means an actuary qualified under the rules and appointed by the Central Government as Superintendent of Insurances to perform the duties of that office under the Act, provided that until 1st January, 1954, he need not necessarily be such qualified actuary'."

Mr. L. S. Vaidyanathan (Government of India: Nominated Official): Sir, the words in clause 2 "assigned once and for all" mean nothing more than a paraphrase of "absolute assignment", because when once we introduce the word "absolute" we shall have to define what it is and that will create a lot of difficulty. And that is precisely why the amedment in question has been proposed by us. Our main object is to exclude from the definition of "policy-holder" or from the purview of what are "policy-holders" conditional assignees, because it has created practical difficulties. First and foremost, I may explain that the object of this amendment is to make conditional assignments more popular because, as the House knows, most of these conditional assignments are made in favour of wife and children; and it is very desirable that such assignments should be resorted to by policy-holders in very large numbers. There is possibly a doubt in the mind of the Honourable Member who has moved the amendment to this clause that the proposed amendment in the bill of the definition of "policy-holder" will affect the financial rights of conditional assignees. Nothing of the sort is meant at all. The financial rights of conditional assignees remain as much intact after the change in the definition of "policy-holder" as it would be before such change. Then the third reason why we have introduced this alteration in the definition is that without this alteration conditional assignments would become unpopular, and it is our earnest desire to popularise these as much as possible; because the policy-holder while retaining all the rights in the policy—the most important right being the right to vote at election of policy-holders' directors—would like to pass on the benefits under the policy to his wife and children in case of his death prematurely. If, on the other hand, you make the wife and children themselves the policy-holders under the policy and thereby entitled to vote, the policy-holder might not like to divest himself of this privilege which the holding of the policy confers on him. That has been practically the case in several instances, and it is our desire, as I said before, to popularise conditional assignments as much as possible. That is why we want to exclude conditional assignees from being roped in as policy-holders.

Then comes the most important and vital question, that is, that if conditional assignees are considered policy-holders and they are given the right to vote,—and, as I said before, conditional assignments being in 98 per cent. of cases, if not more, for the benefit of wife and children,—you practically freeze a large number of votes which would otherwise be intelligently used at the election of policy-holders' directors. Because, children may be minors and therefore not eligible to vote, and ladies may not be approached at all. That will particularly be the case where Muslim conditional assignments are in question; Muslim ladies being mostly in purdah could not be approached at all. And you will straightaway freeze all these voting rights, with the result that the directors will be elected by only a few of the policy-holders instead of the franchise being widespread.

Lastly, Sir, there is this practical difficulty—although I have put it last in the order of its importance—that if a policy is assigned to A and after A to B and with reversion back to the policy-holder after the death of both A and B, there is a doubt as to who the policy-holder is and who has the right to vote.

[Mr. L. S. Vaidyanathan]

One cannot create two votes on one policy. From all these points of view it will be highly desirable to restrict the definition of "policy-holders" only to the life assured in the case of conditional assignments, and therefore we oppose clause (a) of the amendment.

As regards clause (b) of the amendment, it is very loosely worded. It speaks of an "actuary qualified under the rules". The definition of the word "actuary" means that he has the proper qualification as actuary. My Honourable friend's amendment would require him to be qualified "under the rules". I do not know what the rules for this purpose would be. So there is to be a sort of double qualification and I do not see that it is necessary at all; and his amendment is loosely worded. The definition of the Select Committee appeals to us better so we oppose both parts of the amendment.

The Honourable Dr. Sir M. Azizul Huque: I will just have one word in reply and that is to remind my Honourable friend, Mr. Ananthasayanam Ayyangar, that he is probably responsible for the amendment of today; in 1938 legislation there was no definition of a 'policy-holder', and at the last stage there was an effort to amend by putting in the definition of a 'policy-holder'. This was very strongly objected to and at the last stage Mr. Ayyangar moved exactly the present definition. My Honourable friend, Mr. Chapman-Mortimer, at that very stage objected very strongly to that definition going in, but ultimately however it was accepted. What is the result? The result is that the definition which was not in the original Bill was included. With no definition in the original Bill, it was originally left from the tenor of the Act to find out as to who is a policy-holder. As the definition now stands, a policy-holder includes a certain category. Therefore when you define a policy-holder by saying that policy-holder includes the person who is an absolute assignee, it means there are obviously others who may be treated as policy-holders. Thus the legal interpretation has been that even a conditional assignee may be considered a policy-holder and obviously the very object for which this definition was put in was frustrated by these legal interpretations. Our purpose is to make it clear, with the original definition being there, that policy-holder not only includes a category, but does not include another category and that category is the assignees whose interests are defeasible or are subject to a condition. Therefore our purpose is merely to clarify as to who a policy-holder is. He is an absolute assignee—there is no question about that,—but he is not, according to the legal interpretation, one whose right is defeasible or subject to a condition. That is all what we have attempted to do in the present definition. And I think my Honourable friend will agree with me that though the original idea was that the policy-holder includes an absolute assignee, the word 'include' being there, it is interpreted in a different way, and in order to clarify it we have put this definition.

I do not think I need say anything about 'Superintendent'. My Honourable friend obviously has not seen the definition of 'actuary' which means actuary possessing such qualifications as may be prescribed . . . . . .

Sri T. V. Satakopachari: Prescribed under the rules . . . . .

The Honourable Dr. Sir M. Azizul Huque: That is redundant; qualifications are prescribed under the rules. I think on the actual grounds of substance, both he and myself are on the same ground. His draft is new. I have a little bit of experience. He is also a lawyer I think, and I have been a lawyer, but my experience in the different Assemblies has been that it is always better not to try to change the language of an Act on the floor of the House. It leads to a very great deal of confusion, and while I have my fullest sympathy for it, I will not accept it. Sir, I oppose it.

Sri M. Ananthasayanam Ayyangar: I did not want, to partake in this debate, but I will say one word on this matter. My Honourable friend referred

to my having interposed an amendment just at the last stage when the 1938 legislation was on the anvil and that led to all the complication, and my Honourable friend with the assistance of his colleagues has now come forward to set it right. I am afraid I yielded to the amendment of the Government merely to purchase peace for my Honourable friend. I do not still think that this amendment is necessary. There is a better judge—Sir Nripendra Sircar, who was then piloting this Bill. The amedment was " 'Policy-holder' includes the person who is the absolute assignee of the benefits under the policy". Mr. Chapman-Mortimer then raised an objection regarding this notice in very similar terms. Then Sir Nripendra Sircar said:

"Sir, I am glad to explain the position. As a matter of fact Mr. Ayyangar moved his amendment in this form because I took objection stating that I did not want mere mortgagees or persons having a charge to be included and, therefore, he has now moved it in the form acceptable to us. My Honourable friend, Mr. Chapman-Mortimer's question is completely answered by clause 33, paragraph 5:"

The assignee shall be recognized to be the policy-holder for all purposes under the Act. That is incorporated in section 38, clause 5 of this Act, i.e., clause 33 of that Bill. But anyhow they found certain difficulties. This amendment is not going to make it worse; let it clarify the position. Therefore I consented to it.

Sri T. V. Satakopachari: Sir, ...

The Honourable Dr. Sir M. Azizul Huque: I do not think he has a right of reply.

Mr. President: I am sorry the Honourable Member has no right of reply.

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Sir, is it not open to the Chair to give permission to the mover of the amendment?

Mr. President: That is what I thought, but my attention is invited to the rules.

Mr. P. J. Griffiths (Assam. European): It is Standing Order No. 32 on page 13 of the new edition—discretion is vested in the President.

Mr. President: I would like to invite the attention of Honourable Members to this proviso:

"Provided that nothing in this sub-paragraph shall be deemed to give any right of reply to the mover of an amendment to a Bill or a resolution, save with the permission of the President"

Save with the permission of the President'; whether permission used to be given or not in the past is a different question. If permission was not given, that does not mean that the right to give permission is not there under the Standing Orders.

Mr. Abdur Rahman Siddiqui: Permission has to be asked for.

Mr. President: I myself was under the impression that with the permission of the President the mover of an amendment could have a right of reply. That was why I permitted the Honourable Member to speak. Even when the Honourable Mr. Ayyangar got up to speak I was under the impression that the Honourable the mover had replied to the debate, but I was reminded that the mover of the amendment was another gentleman and therefore I allowed him to speak. Then of course my attention was invited or rather a reference was made to Standing Order 32 and I was told that so far as the Rules of this House go, there was no such power in the President. I was under the impression that the President had the power. That is now very clear. From the procedure in the Bombay Assembly my own impression was that the Chair had the power of allowing movers of amendments to reply. But I was not sure of the Rules of this House. As regards the desirability of allowing the mover of the amendment to reply, when there has been a discussion on the particular wording of the amendment and when the honourable

3 P.M.

[Mr. President]

mover of the amendment has stated his case as to why he wants the change in the wording, it is proper that he should have a say in the matter: though, of course, I must say that I agree with the observation of the Honourable Member in charge of the Bill that it is very dangerous to touch the wording of any piece of legislation which has come up from the Select Committee, where it is assumed that all the questions including the question of language had been argued and discussed threadbare. But that does not mean the House has not the right of changing the wording, if it so likes

Sri T. V. Satakopachari: If we are going to tamper with the existing legislation, I mean if a Bill for an amendment could be brought and the existing legislation is going to be disturbed, I suppose we have the same danger there also. So I cannot myself appreciate the danger which will come when any Member of this House rises and wants to suggest some improvements which he considers necessary to be there, because I think that the Select Committee is not the last word on the subject. I should leave it there.

I wish to correct the impression which my honourable friend made, or probably made, that Mr. Ananthasayanam Ayyangar had something to do with these amendments. Absolutely not. He had nothing to do with these amendments.

Mr. Abdur Rahman Siddiqui: He said so himself.

Sri M. Ananthasayanam Ayyangar: I did not say that I had anything to do with these amendments.

Mr. President: Order, order.

Sri T. V. Satakopachari: When he referred to the fact that there was a previous discussion it became relevant to this matter. I am afraid I do not see any reference at all.

I was not convinced by my honourable friend, Mr. Vaidyanathan when he said that conditions of assignment were sought to be excluded by his wording but would not be excluded by my wording. My point is precisely the same that my expressions exclude a conditional assignment until the condition or contingency becomes satisfied. The only thing is the language. It conveyed the idea better and will end litigation which may be possible under the other amendments. Anyhow with the suavity and persistence which probably my honourable friend on the opposite side has been getting from the canvassing agents of insurance business, they have stuck to their guns and they have been as determined and logical as the gentlemen wanting us to insure ourselves willy-nilly.

Mr. President: I shall put the amendment to the House in two parts: firstly the portion as regards the policy-holders and thereafter the other part.

The question is:

"That for clause 2 of the Bill, the following be substituted, namely:

'2. *Amendment of Section* 2, *Act IV of* 1938.—In Section 2 of the Insurance Act, 1938 (hereinafter referred to as the said Act),—

(a) For clause (2) the following clause shall be substituted, namely:

"(2) 'policy-holder' includes the person who is or becomes the absolute assignee of the entire benefits under a policy;"

The motion was negatived.

Mr. President: The question is:

"That for clause 2 of the Bill the following be substituted, namely:

'2. *Amendment of Section* 2, *Act IV of* 1938.—In Section 2 of the Insurance Act, 1938 (hereinafter referred to as the said Act),—

(b) For clause (15) the following clause shall be substituted, namely:

"(15) 'Superintendent of Insurance' means an actuary qualified, under the rules and appointed by the Central Government as Superintendent of Insurances to perform the duties of that office under the Act, provided that until 1st January, 1954 he need not necessarily be such qualified actuary'."

The motion was negatived.

Mr. President: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Sri T. V. Satakopachari: Sir, I move:

"That for sub clause (a) of Clause 3 of the Bill, the following be substituted, namely:
'(a) in sub-section (1), after the words "from the Superintendent of Insurance a certificate of registration", the words "for such business" shall be inserted'."

It will be clear from a reading of Clause 3 that it wants to avoid only a repetition of the same words and so it would be better.

Mr. President: Amendment moved:

"That for sub-clause (a) of Clause 3 of the Bill, the following be substituted, namely:
'(a) in sub-section (1), after the words "from the Superintendent of Insurance a certificate of registration", the words "for such business" shall be inserted'."

The Honourable Dr. Sir M. Azizul Huque: I have already explained that on principle I am not in favour. I have come to grief on many occasions because at an unwilling moment I had to accept a change in the language which was not particularly considered. Clause 3 (a) means that no person.....shall continue to carry on any such business unless he has obtained from the Superintendent of Insurance a certificate or registration for that particular class of business. That is our amendment. My friend wants that after the words "from the Superintendent of Insurance a certificate of registration" the words "for such business" shall be inserted. The result will be "that no person.....shall continue to carry on any such business unless he has obtained from the Superintendent a certificate of registration for any such business". I do not like to say it, though English is not my mother tongue that the words "any such business" should not be repeated twice in the same clause and in order to make it clear it is said for that particular class of insurance business.

Mr. President: The question is:

"That for sub-clause (a) of Clause 3 of the Bill, the following be substituted, namely:
'(a) in sub-section (1), after the words "from the Superintendent of Insurance a certificate of registration", the words "for such business" shall be inserted'."

The motion was negatived.

Mr. President: The question is:

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

Sri M. Ananthasayanam Ayyangar: Sir, I move:

"That in sub-clause (a) (i) of Clause 5 of the Bill, in sub-section (1) of Section 4, the words 'a Co-operative Life Insurance Society or' be omitted; and

that in sub-clause (b) of Clause 5 of the Bill, in the proposed clause (b) of sub-section (2) of Section 4, the words 'a Co-operative Life Insurance Society or' be omitted."

The Act has framed the maximum distinction between policies, the maximum amount to which policies of life insurance can be granted and the minimum with which the other insurance companies can start. All insurance companies are allowed to transact business or undertake policies of insurance above Rs. 500 and not below. Below Rs. 500 was reserved for provident societies in particular and with respect to co-operative societies and mutual insurance companies which are intended to cater to the members amongst themselves this restriction was not imposed upon them. They were allowed to transact business from Re. 1 right up to the infinite. It was found by the framers of this Bill that with respect to some of the mutual companies they were transacting business not on mutual lines, not adopting principles on which mutual insurance companies have been based, covering merely and particularly to the needs of the members of the institution, but were acting as proprietory concerns with profits as their purpose. Therefore the framers of the Bill wanted a restriction in favour of mutual

[Sri M. Ananthasayanam Ayyangar]

societies. As the Superintendent of Insurance wanted or at his discretion we have modified it in the Select Committee by inserting the words "according to rules as may be prescribed." I hope I am not disclosing a secret but I am bound to take the House into confidence, suddenly some one in the Select Committee proposed that Co-operative societies also should be brought within, that is even amongst members of the co-operative societies they ought not to insure for any amount less than Rs. 500 I took exception on the ground that co-operative societies stand on a different footing from mutual companies in that co-operative societies are governed by special acts and there is a heirarchy of public servants who watch the transactions of insurance societies from stage to stage and therefore it is not desirable to include co-operative societies also and to restrict their activities. Sir, last time in 1944, the same Bill was introduced in this Assembly and it was referred to a Select Committee consisting of eminent members of this House including the Leader of the Opposition, Sjt. Bhulabhai Desai. There they did not allow the insertion of co-operative societies and restriction being placed upon co-operative societies. There is a specific note by Mr. Desai that co-operative societies ought not to be put in the same level as mutual insurance companies with respect to some restrictions which were sought to be imposed in that Bill. Therefore I move this amendment to this Bill. Some restriction should be imposed with respect to mutual societies, I agree, but co-operative societies ought to be deleted I am sure the Government itself will accept this.

Mr. President: Amendment moved:

"That in sub-clause (a) (i) of Clause 5 of the Bill, in sub-section (1) of Section 4, the words 'a Co-operative Life Insurance Society or' be omitted; and

that in sub-clause (b) of Clause 5 of the Bill in the proposed clause (b) of sub-section (2) of Section 4, the words 'a Co-operative Life Insurance Society or' be omitted."

Mr. L. S. Vaidyanathan: Sir, as my Honourable friend has said co-operative societies also were put in the same category as mutual insurance companies at the Select Committee stage (I am not disclosing a secret since he has already disclosed it himself) for a specific purpose. As there are mutual companies, which are only mutual in name and yet are more proprietory than the worst of proprietory companies, there are also co-operative societies which are only co-operative in name but yet compete on the one hand with big insurance companies and with the advantage they possess by the privilege of transacting business for large sums assured, compete unfairly on the other hand, with the small provident societies. Even one giant if made to fight against a thousand pygmies can defeat them in no time. If Gulliver had not been chained when he was asleep, he would have smashed the Lilliputan empire in no time. There are co-operative societies which are only co-operative in name and have the unlimited advantage of . . . . . .

Sri M. Ananthasayanam Ayyangar: May I ask the Honourable Member if it is the desire of the Government to see that co-operative societies do not compete with big business at all?

Mr. L. S. Vaidyanathan: That is not the idea at all Our idea is not to allow the so-called co-operative societies, which have the advantage of competing with big business companies also to compete with provident societies for small business. There can be small co-operative societies, whose business is restricted to the limitations imposed by Section 65 of the Insurance Act and they also will be hard hit by the big co-operative societies. Amongst those co-operative societies that are now functioning only those that do not answer to the exact definition of a co-operative society and have absolute freedom to do business amongst the public at large without any limitation for large sums assured on one hand and for small sums assured on the other and thereby compete unfairly with the small provident societies, will not be given the freedom to transact business for small sums assured. Therefore in the rules that will be framed, there will be ample latitude to safeguard the interests of genuine co-operative societies and therefore I oppose the amendment proposed by the Honourable Member.

Mr. President: The question is:

"That in sub-clause (a) (i) of Clause 5 of the Bill, in sub-section (1) of Section 4, the words 'a Co-operative Life Insurance Society or' be omitted; and

that in sub-clause (b) of Clause 5 of the Bill, in the proposed clause (b) of sub-section (2) of Section 4, the words 'a Co-operative Life Insurance Society or' be omitted."

The Assembly divided:

AYES—39.

Abdul Ghani Khan, Khan.
Adityan, Sri S. T.
Asaf Ali, Mr. M.
Ayyangar, Sri M. Ananthasayanam.
Banerjee, Sree Satyapriya.
Bose, Shri Sarat Chandra.
Daga, Seth Sheodass.
Dani, Mr. G. B.
Gadgil, Sjt. N. V.
Gangaraju, Sri V.
Jagannathdas, Sri.
Jhunjhunwala, Mr. B. P.
Karmarkar, Shri D. P.
Khan, Mr. Debendra Lal.
Lahiri Choudhury, Srijut Dhirendra Kanta.
Madanmatri Singh, Mr.
Mahapatra, Sri Bhagirathi.
Mangal Singh, Sardar.
Manu Subedar, Mr.
Masani, Mr. M. R.
Mukhopadhyay, Mr. Nagendranath.
Mukut Bihari Lal Bhargava, Pandit.
Narayanamurthi, Sri N.
Neogy, Mr. K. C.
Ram Narayan Singh, Babu.
Ramayan Prasad, Mr.
Ranga, Prof. N. G.
Reddiar, Sri R. Venkatasubba.
Saksena, Shri Mohan Lal.
Salve, Mr. P. K.
Sanyal, Mr. Sasanka Sekhar.
Satakopachari, Sri T. V.
Sinha, Shri Satya Narayan.
Sukhdev Udhowdas, Mr.
Surjit Singh Majithia, Squadron Leader Sardar.
Swaminadhan, Shrimati Ammu.
Thakur Das Bhargava, Pundit.
Varma, Mr. B. B.
Vijaya Ananda, Maharajkumar Dr. Sir.

NOES—38.

Abdul Hamid Shah, Maulvi.
Ali Asghar Khan, Mr.
Azizul Huque, The Honourable Dr. Sir M.
Banerjee, Mr. R. N.
Benthall, The Honourable Sir Edward.
Bhattacharyya, Rai Bahadur Devendra Mohan.
Chapman-Mortimer, Mr. T
Cook, Mr. B. C. A.
Griffiths, Mr. P. J.
Gwilt, Mr. Leslie.
Hirtzel, Mr. M. A. F.
Hydari, The Honourable Sir Akbar.
Inskip, Mr. A. C.
Kharegat, Sir Pheroze.
Lawson, Mr. C. P.
Mason, Mr. P.
Morris, Mr. R. C.
Naqvi, Mr. A. T.
Oulsnam, Mr. S. H. Y.
Rowlands, The Honourable Sir Archibald.
Sargent, Dr. J.
Sen, Mr. B. R.
Sharbat Khan, Khan Bahadur.
Siddiqi, Mr. Abdur Rahman.
Siddique Ali Khan, Nawab.
Spence, Sir George.
Sri Chand, Chaudhri.
Stokes, Mr. H. G.
Tamizuddin Khan, Mr.
Thorne, The Honourable Sir John.
Turner, Mr. A. C.
Tyson, Mr. Geoffrey G
Vaidyanathan, Mr. L. S.
Waugh, The Honourable Mr. A A.
Weightman, Mr. H.
Yusuf Abdoola Haroon, Seth.
Zafar Ali Khan, Maulana.
Zafar Husain Khan, K. B

The motion was adopted.

Mr. President: The next amendment that stands in the name of Mr. Vaidyanathan is, it seems to me, merely to rectify a printer's error.

The question is:

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clauses 6 to 19 were added to the Bill.

Mr. President: Clause 20. There is an amendment in the name of Mr. Ayyangar who wants clause 20 to be omitted. I do not see how it is in order. It is a negative of the original proposition. The Honourable Member may vote against that clause but his amendment is not in order. He is entitled to have his say on clause 20.

Sri M. Ananthasayanam Ayyangar: This amendment relates to the married women's rights. As I said at the consideration stage, it is not merely a matter of form but it is a matter of substance. Life insurance is a kind of protection for the family of the assured. The primary members of the family who are the centres of his affection are his wife and children. They are normally the nominees of any assured in his policy. The policy of life insurance is the absolute property of the assured and therefore he can sell it, mortgage it or pledge it or do anything with it. He can make a gift of it to whomsoever he likes and his creditors can lay their hands upon that policy. As soon as any person makes a proposal it is also normally incumbent upon him to nominate the persons to whom it should go in case of his death but if the nominees are his wife and children he can no longer after the nomination deal with that property as his own. They are protected as against his vagaries and also any creditors who might like to lay hold of his property. This is a very wholesome provision. What the Bill intends to do is to do away with this wholesome provision. Hereafter it is open to a policy holder to say—I get out of section 6 of the Married Women's Property Act. That means that though I nominate my wife or children as the beneficiaries to this policy, both myself and my creditors can lay hand upon the policy and my wife and children may be deprived of this policy. The wife and children are relegated to the category of strangers. But in the Act of 1938 the wife and children were placed in a different category. That special exemption is sought to be taken away for some supposed administrative inconvenience.

The history of this legislation date back to 1874 when the first Married Women's Property Act was passed, specially applying the provisions of that Act to Christians in this country. Hindus and Muhammadans, Jains and others were exempted from the operation of that Act. There was no Insurance Act in force in India then. The first Insurance Act was passed in 1912. Till then insurance companies were also governed by the ordinary law which regulates companies. Therefore the background of the Act of 1874 must be understood and also the purposes of the legislature then as to how it was intended to be a wholesome provision. Section 6 of the Married Women's Property Act says:

"That a policy of insurance effected by any married man on his own life and expressed on the face of it to be for the benefit of his wife or of his wife and children or any of them shall enure and be deemed to be a trust for the benefit of his wife or of his wife and children or any of them according to the interest so expressed, and shall not, so long as any object of the trust remains, be subject to the control of the husband or of his creditors or form part of his estate."

But unfortunately they said that this would not apply to Jains, Hindus, Muslims or Parsis. A later Act was passed in 1923 by this Legislature. It contains one clause. It says:

"Notwithstanding anything contained in section 2, the provisions of sub-section (1) shall apply in the case of any policy of insurance such as is referred to therein, which is effected by any Hindu, Muhammadan, Sikh or Jain in Madras after the 31st day of December 1913, or in any other part of British India after the 1st day of April 1923."

This Act was passed in 1923. But it was given retrospective effect, so far as Madras was concerned, from 1913. I read the relevant portions of the debate that occurred when that Bill was on the anvil, how this measure was welcomed by all sections of the House. The same objections that are now being raised on the other side were put in almost in a nutshell. The Married Women's property Act says that if wife or child is noted as the nominee then they become the beneficiaries. After the insured passes away the mode of payment is, if he creates trust, the monies would be paid only to the trustees for the benefit of the wife and children. In case he did not create a trust, then the property would automatically go to the official trustee. Whoever does not leave a trust behind, then his property goes to the official trustee under certain conditions. The official trustee merely acts as the conduit pipe who pays to the wife and children, if there is no condition. But if there is a condition, then he carries out those conditions. It is merely a matter of procedure or form.

I heard the Honourable Member in charge of the Bill say that it was found very difficult and in his own experience he found that the money was deposited somewhere in the capital of the province whereas the person died leaving his wife and children in some other corner of the Presidency. In practice, he found that much less than even half reached the wife and children who are beneficiaries, and that therefore he wanted primarily to avoid administrative difficulties or difficulties of procedure and therefore he was introducing this amendent in the Bill. I would point out, Sir, that that could easily be got over by amending the Married Women's Property Act in this wise, that in cases where the assured does not create any trust by himself and does not nominate trustees, the money instead of going to the official trustee might be deposited in the District Court of original jurisdiction where the assured lived or where his wife and children live and the monies may be paid over in accordance with his wishes. It is purely a matter of form which can be easily modified. We are making so many laws almost every day here. A law once passed can easily be amended and therefore, I submit it is one of mere procedure. We can find ways and means. It is not a matter of procedure alone. On the other hand, we unfortunately find that there is always a difference between employer and employee, similarly, we find a lot of difference between insurer and insured. The insurer is always anxious, if he is a proprietary concern, to make as much money as possible out of the insured.

The House might have observed that while I was on the last amendment, I was persistent in calling for a Division, though I was not sure I would succeed. It was for this reason that all insurance companies must sooner or later become nationalised, or they must become mutual or co-operative. No insurance company ought to be a proprietary concern for the owner to play with the premium paid by the insured in any way he likes. It should not be that the only lot of the insured is to go on paying premium. I am reminded at this stage of a company which was floated in my Province with a humble capital of Rs. 74,000. That insurance company has now done business to such an extent that its annual premium is one crore. I recently heard that some Banks or some private individuals are planning to purchase that insurance company's shares worth Rs. 74,000 for 74 lakhs, so that they can deal with a premium of one crore in whatever way they liked. I do not know if the Honourable Member is going to block all holes. I will wait and see if he does so in the new Bill which he promises to bring shortly. I am anxiously waiting for the inauguration of that Bill. When it becomes law, let us see. In the meanwhile, unfortunately the Honourable Member is making inroads into a very valuable, wise and substantial piece of safeguard for the wife and children of the assured.

As I was submitting, Sir, the interests of the insurer are absolutely different from those of the insured. The insured as the beneficiary is made to bear all the overhead charges of the top heavy administration. There are cases of insured who do not derive any benefit from the insurance company but who go on paying in premium day in and day out. The insured is always anxious to see that he makes a suitable provision for his wife and children. Now, Sir, with great respect to Honourable Members who have spoken and who are going to speak later on, I say that one cannot eliminate the fact that one is an insurer, however much he may talk. The insurance company issues the policy, somebody insures. If the insured nominates his wife or children as the beneficiary under the policy, then he can no longer pledge it or borrow upon it. If this provision is enforced, then the insurance company stands to lose. The insured cannot take loans on his policy without the consent of the wife or children who are the nominees.

One section of the Insurance Act says that 55 per cent. of the capital should be invested in Government securities or approved securities. You know very well that Government securities do not fetch a high rate of interest now-a-days. They are as low as 2 or 3 per cent. But the insurance companies with their top heavy administration and heavy overhead charges want to earn interest in whatever way they can. That is why the insurance companies beguile the

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policy holders by inducing them to borrow on their own policies at high rate of interest. So that in the end when the poor insured passes away, the wife and children are left with practically nothing out of the insurance policy. Do not be carried away by the smiling faces or the sweet words of persons who are in charge of insurance companies. They talk and talk, all the while plotting ways and means to trap the insured to take out loan from the companies. I submit that no insured ought to be beguiled into smooth talks with insurance company directors, with persons who are interested in running insurance concerns. Their interests are diametrically opposed to the interests of the assured. I do not want to use stronger language. You can find appropriate words in the dictionary and every one can see them there. I believe in argument for argument. I therefore submit that persons interested in the running of insurance concerns are always anxious to see that the policy holders borrow on their policy. This wholesome provision in the Married Women's Property Act ties down the hands of both the policy holders and also the insurer. I do submit they cannot monkey with this wholesome provision as they do want now by this Bill to do so as against the interest of wife and children who are the beneficiaries under a policy.

Now, Sir, I would only reinforce my arguments with the arguments advanced on the floor of the House by the framers of the Bill to extend the operation of the Married Women's Property Act. Mr. Seshagiri Aiyar, who was at one time a Judge of the Madras High Court was also one of the Members in this House who took part in that debate. He also referred to this other difficulty of getting money from official trustees.

"The second important change effected in the Select Committee is with reference to the question where reference is made to section 6 of the Married Women's Property Act. The object of this Bill is to remove certain doubts created by certain conflicting decisions of three High Courts. My object is to remove these conflicting decisions. Section 6 of the Married Women's Property Act says that a policy of insurance effected by any married man on his own life and expressed on the face of it to be for the benefit of his wife or of his wife and children or any of them shall enure and be deemed to be trust for the benefit of his wife, or of his wife and children or any of them, according to the interest so expressed, and shall not so long as any object of the trust remains, be subject to the control of the husband or of his creditors or form part of his estate. If this section does not apply to Hindus, the disadvantage is that even in a case where the husband insures for the benefit of his wife, either his creditors or members of a Joint Hindu family practically claim an interest in the insurance money and the benefit of that insurance is taken away, so far as the wife is concerned."

Mr. Seshagiri Aiyar, who was a renowned Judge of the Madras High Court and who took part in the discussion said:

"The object of this Bill is to place Hindu widows in the same position as widows belonging to the Christian community. Under the Married Women's Property Act, section 6, if an insurance is effected in favour of wife and children, a trust is created and the insurer is thereby debarred from dealing with the insurance as if it were his own property, and his creditors after his death cannot attach it as if there has been no trust."

Now, Sir, this section tries to do away with this. It was glibly said that this provision crept into the Act of 1938 by a mistake. In the Act of 1938, which is now sought to be amended, no doubt this provision was absent in the Bill as was brought before the House. This provision relating to Married Women's Property Act was introduced only in the Select Committee. Then, after it came back no objection was taken to it. It was found that this provision was necessary and therefore no objection was taken to it at all. I find, Sir, that the framers of this Bill have made a mistake. They say in the Notes on Clauses that this reference to Married Women's Property Act in the Act of 1938 crept in somehow. I do not know how. They say that it crept in and that they discovered it after 1938. It is now seven years. How did they now discover that it crept in when neither the Honourable Member who is the mover nor the other Honourable Member who is supporting was a member of this House. It is therefore strange that they are inventing arguments for supporting a very bad case. My submission is that this is a matter of substance. Let us not make a wholesome provision merely because an insurance company is able to lend to this man. It is to his disadvantage—this bogey that if the

Married Women's Property Act is to be applied, his wife and children find it difficult to get the money from the official trustee. Is the official trustee a looter or a dacoit? He is a public servant. The money goes into the hands of the public servant. The insurance Company can be trusted but not the public servant! The insurance company has no objection to pay away in gold and silver, but the official trustee walks away with the entire money! It is a travesty. In appearing before a Court of Law or in drawing money from a Court there are certain rules of procedure prescribed. Even the vakil has to show the affidavit showing the amount has been paid to the vakil. This is done in the interests of the safety of the persons involved. If necessary we can modify it. But let us not cut the nose to spite the face. What my friends are doing is to do away with the money and make it easy to draw. What am I to draw? There is no money. My friends of the European Group set the model for us long before any Insurance Act was passed. It was restricted to members of their own faith although subsequently for different faiths we have also taken advantage of it. It was in 1874. It was copied in Madras, to which I belong, from 1913. It was reiterated in the Act of 1938. It was not therefore by fluke but with open eyes, two eyes for each member, with two-hundred and eighty open eyes that it was passed. Therefore let no consideration of inconvenience prevail.

I have tabled another amendment. But that amendment I do not want to move. We can sit across the table over that amendment and come to some arrangement as to how the procedure may be modified and how the money can be got from the official trustee. Therefore I respectfully submit for consideration and acceptance of my amendment. I am opposing the clause.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): It is not without some amount of trepidation that I rise to speak on this motion. We have already been assured that the Bill as it has emerged from the Select Committee represents the very anxious consideration which the best brains in the country have given to the matter.

Sri M. Ananthasayanam Ayyangar: It has put me to anxiety.

Mr. K. C. Neogy: I have great respect for the Members of the Select Committee. But at the same time I cannot forget that by the particular amendment which we are now discussing, they have sought to tamper with two legislative measures passed by two previous Legislatures. Sir, I hope the House will bear with me for a few moments as I develop my points. My Honourable friend Mr. Ananthasayanam Ayyangar has already referred to the Married Women's Property Act which was passed in the year 1874. That Act excluded from its purview Hindus, Muslims and certain other communities. I think from the practical point of view, before the year 1923, the provisions, in so far as they bear upon insurance, of the Married Women's Property Act, applied only to those who professed the Christian religion and also to the Parsee community. When the Act of 1874, the Married Women's Property Act, was passed, an English law on the subject had already been passed by the British Parliament. I took the trouble of looking up the proceedings of the then Imperial Legislative Council on this subject, and I found that it was not after a mature consideration by the legislature of any peculiarities that characterised the excluded communities of India that they were placed beyond the scope of the Married Women's Property Act. The Honourable Mr. Hobhouse, who I believe occupied in those days a position akin to that of the Law Member, referring to Section 6 as it now stands in the Married Women's Property Act, said that this had been initiated by Government at the instance of certain British Indian companies which were then operating in India. He said that these provisions were found exceedingly useful in England and that he thought that it was equally proper to introduce some of these provisions among the European community in India. The reason why the other communities were being excluded was that the Government did not profess to deal with the delicate subject of connubial relations which existed among native societies. I am quoting from the speech of Mr. Hobhouse. At that particular moment, they hesitated to bring within the scope of this measure

[Mr. K. C. Neogy]

what are called the native societies of India. They were thinking only of the European community then living in India, and the Government wanted to give this community the benefit of a law which had already been passed in England. The English law would be found in Section 10 of the English law, namely the Married Women's Property Act, 1870. This was subsequently renumbered as Section 11 in the Consolidating Act of 1882. Now, Section 6 is more or less a reproduction in substance of the provisions of the relevant section in the English law. This state of affairs continued for sometime without any difficulty because in those days insurance was not very popular among Indians, I take it.

Then, when we come to 1913 and 1914 we find conflicting decisions of different High Courts as to whether, when a husband nominates the wife as the beneficiary under an insurance policy, the benefit of that policy could be denied to the widow at the instance of the creditor. There was a difference of opinion on this subject primarily between the Madras and Bombay High Courts. I believe the Calcutta High Court also had something to do with the subject, so that we had two distinct sets of legal opinions expressed by different High Courts—Bombay and Calcutta on the one side and Madras on the other, Madras trying to give the benefit of the protection of the Married Women's Property Act to insurance policies of this kind, and the two other High Courts denying that benefit.

Then, Sir, we find in the year 1921 when the first reformed Legislature met, attempts being made by prominent non-official members like Mr. Seshagiri Ayyar and Mr. Kamath to amend the law on this particular subject. Mr. Seshagiri Aiyar's Bill was of a more ambitious character than that of Mr. Kamath. Kamath's Bill was confined to the operation of section 6 of the Married Women's Property Act in regard to the excluded communities.

4 P.M.

Sri M. Ananthasayanam Ayyangar: Sir, on a point of information. Was my Honourable friend a Member of the Assembly then?

Mr. K. C. Neogy: I am coming to that. I do not want to attach too much importance to my membership of that Assembly, but the fact remains that I was not merely a Member of the Assembly at the time but I was also a member of the Select Committee that was appointed to go into Mr. Kamath's Bill which subsequently became the Married Women's Property (Amendment) Act of 1923. Mr. Kamath's amendment is now embodied in the Act and has already been read out by my Honourable friend Mr. Ayyangar. Incidentally, I might say that this was the first non-official legislative measure to be passed into law since the inauguration of what is now called the reformed legislature under the Act of 1919. When that Bill came up it was circulated for eliciting public opinion, and we have Sir William Vincent stating, on the motion for reference to Select Committee, that it had received almost universal support from all local Governments and the public at large, and that Government therefore did not want to oppose it. That is the position of the Married Women's Property (Amendment) Act, 1923, and in 1938 what was done was to add a sub-clause (7) to section 39 stating that the provisions of section 39 would not apply where the Married Women's Property Act applied. Now as has already been stated by my Honourable friend, this particular clause was not in the original Bill of 1937 which became the Act of 1938, but it was subsequently introduced at the instance of the Select Committee. I have before me the report of the Select Committee on this point and this is what I find there:

> "We have supplied an omission in sub-clause (5) and by a new sub-clause (7) we have made a necessary provision excluding from the operation of the clause insurances of a married man for the benefit of his wife and children who are subject to the provisions of Act 3 of 1874."

And when I go through the array of names subjoined to this report, I cannot say that the members of the present Select Committee can claim any better brains than the members of that particular Select Committee. In spite of all this we find a bland statement in the Notes on Clauses supporting the particular

amendment which has now come before us with the approval of the Select Committee. This is what is stated:

"*Clause 10.*—It was not intended that a nomination citing section 39 of the Act in favour of a wife or child should attract the provisions of the Married Women's Property Act, 1874, and this amendment is to secure the desired position"

Sir, in all humility I should like to know, whose was this intention? It is said that "it was not intended"; not intended by whom? When we have to consider two distinct legislative measures passed after very serious consideration by two different Houses, we are entitled to a little more information on this point. The only intention that can possibly weigh with us in this context is the intention of the legislature. I should like my Honourable friend to tell us whether he has any proof to substantiate this claim that what we now find in the Act, and what is now sought to be amended, was not intended by the legislature which passed either the Act of 1923 or the Act of 1938. Sir, I have tried to study the subject as far as my opportunities went; I have gone through the debates; but I do not find any light there on this particular point. I have gone through Mr. Susil Chandra Sen's report on the laws of insurance on which the Bill of 1937 was based; I do not find any light there either. It is in a spirit of inquiry that I am raising this point. Whose is the intention that we have to take into account, and what proof have Government in support of their statement that the present position of the law was not intended,—intended obviously by the previous legislatures?

Then, Sir, it has already been pointed out by my Honourable friend Mr. Ayyangar that under the present amendment as recommended by the Select Committee there would be an alternative procedure; that is to say, it would be open to the husband either to say that in making the nomination in favour of the wife or children he wants the operation of the Married Women's Property Act to be attracted, or that he does not want it. That perhaps is what is intended; that is to say, there would be two alternative positions, under one of which even though the wife may be nominated as a beneficiary, the husband would be free to deal with the insurance policy by way of pledging it, and that the husband's creditors would be at liberty to pursue the money that may be secured under that policy of insurance; and under an alternative procedure, if the husband definitely mentions that in making this nomination he definitely wants to attract the operation of the Married Women's Property Act, then all that follows from section 6 of that Act will control the particular policy.

Mr. L. S. Vaidyanathan: That is what we want.

Mr. K. C. Neogy: Yes, I know that is what you want; but here again let me point out that this is not the first time that this point was raised. If we find the law to stand as it does, it is because after deliberate consideration of this suggestion we decided that we were not going to have any alternative procedure prescribed in this manner. Here again I have to refer to the report of the Select Committee on the Bill which subsequently became the amending Act of 1923. It is an accident that I was a member of that Select Committee; but among members of the Committee there were very eminent persons like Sir Malcolm (Now Lord) Hailey, Mr. Seshagiri Aiyar who was a very distinguished Judge of the Madras High Court and after retirement became a Member of the first Legislative Assembly, Mr. T Rangachariar who was a very distinguished Advocate of the Madras High Court. There was no minute of dissent to that report. When you see that report you find that there were several opinions that were placed before the Select Committee, unlike the present Select Committee which obviously is so conscious of its monopoly of wisdom that it never thought of considering the opinions of others.

Mr. T. Chapman-Mortimer: Sir, I do not want to interrupt the Honourable Member's very interesting speech but on a point of order. I do not think it is quite fair that he should impute to the members of the Select Committee quite the arrogant attitude that he rather did impute, if I understood him correctly. I hope I understood him wrongly, but he rather gave the impression that we in our

[Mr. T. Chapman-Mortimer]

wisdom did not give any attention to this point. In fact we were very exercised about it.

Mr. K. C. Neogy: I am sorry; perhaps my Honourable friend was not in the House this morning when my Honourable friend Mr. Ayyangar was taken to task by another Honourable Member of the Select Committee for his loquacity in dealing with these questions, because the best brains of the country had already gone into the matter.

Mr. T. Chapman-Mortimer: I dissociate myself entirely from remarks of that kind. I have the highest respect for my Honourable friend's learning and his application in this matter. But all I was querying was whether it is right and proper for the Honourable Member to suggest that members of the Select Committee did not apply their brains, such as they are, and that they are not exercised in their minds on this particular point. That is what I understood him to mean, and I should like to be clear on this point.

Mr. K. C. Neogy: I never made any such point. I said that contrary to the usual practice to which we are accustomed, we do not find the Select Committee making any reference to any opinions that may have been received on the Bill. In the previous Select Committee we find that they began the report by a reference to the opinions received and they go on dealing with the various opinions.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. P. J. Griffiths (one of the Panel of Chairmen)].

It may be a new procedure that has been instituted, but that is all that I stated. I did not mean any offence to any single Member of the Select Committee. The Select Committee of 1923 went into all the opinions received which were mostly, if not all, in favour of the amendment

Now, Sir, I should like to place before this House one paragraph from the Report of that Select Committee which bears on the point in regard to which my Honourable friend, Mr. Vaidyanathan, interrupted me. This is paragraph 3:

"We next considered the opinion of the Life Offices' Association, London. . . ."

It is not merely opinions gathered from say Local Governments, but we had an opinion from the Life Offices' Association (London). Now, the amendment that has been adopted by the Select Committee is exactly the kind of suggestion that came from that body. This is how the third paragraph of the Report runs:

"We next considered the opinion of the Life Offices' London, and the representations which were put before us to the effect that a rigid application of section 6 to all classes of policies which are expressed to be for the benefit of the wife or of the wife and children would in many cases cause inconvenience, hardship and misunderstanding."

That is all that we are now being told in support of the amendment embodied in the Select Committee's Report. Continues the Select Committee:

"We were told that this form of insurance is unpopular in other countries, and a suggestion was made that it might be possible to allow policies of this nature to be taken up independently of the provisions of section 6 by providing that that section should not apply unless it was expressly stipulated in the policy that the Married Women's Property Act, 1874, as amended, should apply to it."

This, in substance, is exactly what the Select Committee proposes to do. Now comes the observation of the Select Committee itself:

"We think, however, that there is no reason for inserting any special provision of this kind, and that, if, in fact, Insurance Companies are as a rule unwilling to issue policies of this nature, any disadvantages which may attach to them will, as a matter of course, be explained to the person intending to insure."

It is not as if this is a new point and that this is a new light that has been thrown upon the subject at the present moment. And that is why I ask, whose is the intention that the Government and the Select Committee are thinking of carrying out in supersession of the present legal position? Is it the intention of the Life Offices' Association, London, which was duly considered and rejected in 1923? Now, that is the point on which I should like to have a direct answer. I should not be taken to mean that I am against any form of change whatsoever

and that whatever laws have been passed by previous legislatures should stand without amendment, but then let us consider the question on merits. Why seek to mislead the House by saying this was not intended, and this is what is the proper position? Who says that this is the proper position, and whose was the intention contrary to what we find the present law to be? Sir, this is all that I have to suggest to my Honourable friend that he should go into this matter more carefully and, if necessary, take this point back to the Select Committee and let us have a more informed report setting forth in detail as to how he came to the conclusion that the present law does not carry out the intention of the Legislature and that the present law is contrary to what the position should be. I am prepared to admit that in practical administration defects may have been found to exist, and that this form of insurance, where the provisions of section 6 of the Married Women's Property Act apply very rigidly, has been found to be unpopular. I am quite prepared to take into account such facts as may be available on these points, but I am not prepared to accept the statement that it was not intended by somebody that the law should be like this, and that the proper position is what the Select Committee has put it, or rather the Government, because it is virtually the same thing, subject to some small amendments, as we find in the original Bill.

Sir, I have great pleasure in supporting the motion of Mr Ayyangar, because in the absence of any definite statement which is satisfactory . . . . . .

Sri M. Ananthasayanam Ayyangar: Both of us are opposing the motion.

Mr. K. C. Neogy: . . I want the present position to be reverted to, pending a fuller consideration of this particular point.

Mr. Leslie Gwilt (Bombay: European): Sir, like my Honourable friend, Mr. Neogy, I rise with a considerable amount of trepidation, but my trepidation is based on other premises for I am very much of a layman. I do not think that he showed a great deal of trepidation, Sir, but he showed a much knowledge of a very obscure or, at any rate, a complicated subject.

I have quite a considerable amount of sympathy for what my Honourable friend, Mr Ayyangar, had to say but Sir, if I understand the position correctly, a nomination may be made in three ways: either under section 38 of this act, or under section 6 of the Women's Property Act, or under section 39 which is the section we are discussing at the present moment. It seems to me that the option is left to the assured to nominate his policy in any manner he chooses under any of those three sections. The choice is left to him, and left to him quite rightly. But, Sir, where I feel that a provision should be made to protect the assured is either on the face of the policy or in the Insurance Rules. It is perfectly obvious, Sir, that there has been, as is evidenced by the number of cases of litigation there have been, considerable confusion in the matter of nominations and I think that this is one section under which the assured requires protection and I would ask, Sir, that an assurance should be given to the House that either in the Rules there is a provision that an explanation of the liabilities under this section should be explained to the assured, or, alternatively, that a form approved of by Government should be sent to an assured when he informs the Insurance Company that he proposes to nominate his policy. I believe, Sir, that some of the Insurance Companies have a form letter which they send to any assured who says that he is going to nominate his policy, but some of the bigger companies do not do that and I think that perhaps the point that has been made both by my Honourable friends, Messrs Ayyangar and Neogy, may be met if that proposal were accepted.

Sri M. Ananthasayanam Ayyangar: Deletion of this clause?

Mr. Leslie Gwilt: I would not support that. I would like to hear the Honourable Member in charge of the Bill.

Mr. L. S. Vaidyanathan: I am afraid there has been considerable misunderstanding about the whole matter. Only if my Honourable friend, Mr. Ayyangar, for whom I have very great regard—particularly as at the passage

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of the 1938 Act I had to go to him very often and put forward to him the point of view of Insurance Companies, and he very patiently heard all my arguments and in most cases acted upon my advice—only if he had the same patience now and if he had allowed me to complete my sentences, I would have convinced him and instead of his requesting us to be converted to his view, he might have already been converted to our view, and all this might have been spared. . . . .

Sri M. Ananthasayanam Ayyangar: I tried my best.

Mr. L. S. Vaidyanathan: You never heard my arguments; that is my grouse even now.

Sir, my Honourable friend, Mr. Neogy, has raised the point that opinions should have been called for in respect of the Insurance Bill. We have had two meetings of the Advisory Committee and we also consulted Insurance companies in all the tours we have had. The first time I had knowledge of any objection to this was only when the other day my friend, Mr. Ayyangar said he was going to oppose this. Before that there was no objection to this clause going through in the form it is before the House.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): What about the public?

Sri M. Ananthasayanam Ayyangar: That was the first time I came to know and as soon as I came to know I protested.

Mr. L. S. Vaidyanathan: That was the only protest.

Sri M. Ananthasayanam Ayyangar: You shut it out.

Mr. L. S. Vaidyanathan: I did not shut it out. We should have had a frank discussion about it.

Sri M. Ananthasayanam Ayyangar: Did you elicit public opinion?

Mr. Chairman: Let the Honourable Member proceed.

Mr. L. S. Vaidyanathan: It will be interesting to go back to the 1938 Act. Although I was not then a Member of this House, I was watching the proceedings from a higher plane than this.

Sri M. Ananthasayanam Ayyangar: My Honourable friend was right when he was with me. He is now on the other side. Therefore he is wrong!

Mr. Chairman: If the Honourable Member will direct his attention to the Bill, it will be more to the point.

Mr. L. S. Vaidyanathan: The whole idea arose elsewhere. There was a lot of outstanding claims on the books of life insurance companies and the framers of the 1938 Act wanted to do all in their power to enable companies to settle claims as expeditiously and as early as possible. With that end in view they first and foremost removed the desirability from which Muslim policy-holders suffered in respect of conditional assignments, as you will find in Section 38, sub-section 7. The opinion then held was to the effect that if a Muslim made a conditional assignment the condition was invalid and the assignment was absolute. That militated substantially against Muslim policyholders effecting conditional assignments and therefore sub-section 7 of 1938 reads:

"Notwithstanding any law or custom having the force of law to the contrary, an assignment in favour of a person made with the condition that it shall be inoperative or that the interest shall pass to some other person on the happening of a specified event during the lifetime of the person whose life is insured, and an assignment in favour of the survivor or survivors of a number of persons, shall be valid."

After having done this, they felt they had not gone far enough to popularise assignments and thereby enable insurance companies to settle claims quickly. Before this Mr. Sushil Sen's amending Bill was circulated for opinion and the opinion on the nomination clause appearing therein was as follows:

"Opinions were invited by the Government on the provisions of the Bill and the replies received will show that a very large section of the public welcomed the idea of the right of nomination being given to policyholders."

The right of nomination was to extend to all. The right of nomination was not supposed to extend only in those cases where the wife and children were not the nominees.

Sri M. Ananthasayanam Ayyangar: On a point of order. Is it open to my Honourable friend to read any extracts from any unauthorised report or any opinions which were not circulated to us or to the Members of the Select Committee?

Mr. T. Chapman-Mortimer: This was circulated to Honourable Members.

Mr. L. S. Vaidyanathan: It is a Government of India publication.

Mr. Chairman: Is it available to the Members in this House?

Mr. T. Chapman-Mortimer: It was produced in 1936 and made available to the House.

Mr. K. C. Neogy: It is marked confidential but is in the Library.

Mr. Chairman: If it can be found in the Library, it can be quoted.

Mr. T. Chapman-Mortimer: In the first instance it was a confidential report of the Law Member. Thereafter it was made available to Members who were elected by the House to sit on the Select Committee and it was handed out to us with other papers, and subsequent to that—to the best of my recollection—it was put in the Library of the House and made available to all Members, and the mere fact that "Confidential" is on the document is neither here nor there.

Mr. Chairman: The position is I think, quite clear. Since the document is in the Library of the House, it is quite in order to be quoted from.

Mr. L. S. Vaidyanathan: What I have read is in page 58. They can take note of that. They wanted to give the benefit of nominations. The main elasticity provided by a nomination is that a subsequent assignment cancelled a previous nomination and a nomination could be revoked. All that was necessary because Indian lives assured required all that elasticity. So then we have these the three ways by which the policy monies could on a claim arising be paid over to the wife and children of the person whose life was assured. One is the Married Woman's Property Act, the other is assignment and the third is nomination. The rigidity of the first is that it creates a trust. Then it cannot be touched by creditors, and as it creates an absolute trust it does give great security in so far as the estate of the life of the assured is concerned. It is also extremely rigid and one instance of rigidity is that no loan can be raised in the security of the policy. The rigidity of it appears to have weighed with the lives proposing for assurance more than the benefits that accrue for them. I can without contradiction state that not one in five hundred policies are taken under the Married Woman's Property Act. The Select Committee,—and this I say in answer to what my Honourable friend Mr. Neogy just said about sub-section 7 for I know something about it, having put in all the six sub-sections in section 39 about nominations should have wondered whether they had not gone too far they should have asked themselves the question whether the nomination provision would knock out the very desirable provisions of the Married Woman's Property Act. Their answer was "No". The Married Woman's Property Act, section 6, is a sacred thing and it should be left alone and any nomination provision they incorporated should not knock that out? Section 6 of the Married Women's Property Act and with that idea they put in sub-section 7 which reads:

"The provision of this section shall not apply to any policy of life insurance to which Section 6 of the Married Woman's Property Act 1874 applies."

That sub-section only secured that if the policy was taken out under the provisions of the Married Woman's Property Act, this section shall not knock out its being subject to N. W. P. Act. It shall always secure the protection that the Married Woman's Property Act gives. A lot of time was taken up and rightly in reading out the benefits conferred by the Married Woman's Property Act and my Honourable friend, Mr. Ayyangar, quoted from eminent

[Mr. L. S. Vaidyanathan]

Judges for whom we have great respect and with all of whom we are in complete agreement: and to carry his own argument to a logical conclusion, if he comes up with a proposal that every one who effects a policy and who has a wife or children shall effect it under the Married Woman's Property Act, I shall support it. But we are not doing that.

Mr. K. C. Neogy: Then that is your intention? That was not the intention of the Legislature.

Sri M. Ananthasayanam Ayyangar: On a point of order. It is not necessary under the law. Am I to understand from my Honourable friend that under the law it is necessary for the policyholder to show, before a trust is created, that he is doing it under the Married Woman's Property Act? He need not refer to that at all. If he takes a policy and nominates his wife, the Married Woman's Property Act attaches itself to the policy automatically.

Mr. L. S. Vaidyanathan: It does not in all cases. Let me explain. After a policy is effected if the person whose life is assured writes to the company saying that he wants to nominate his wife or children to be the nominees of the policy under Section 39 of the Insurance Act, the Married Women's Property Act does not at all attract it.

Sri M. Ananthasayanam Ayyangar: Who says so?

Mr. L. S. Vaidyanathan: I say so. I have got legal backing for that. If the Honourable Member reads Section 39 he will understand what I say. The Section says:

"The holder of a policy of life insurance (*on his own life*) may, when effecting the policy or at any time before the policy matures for payment, nominate the person or persons to whom the money secured by the policy shall be paid in the event of his death."

I am sorry I have not got the Married Women's Property Act before me. It says "at the time of effecting only" "A policy of insurance effected by a married man on his own life and expressed on the face of it"—I would ask my Honourable friends to mark the words 'on the face of it'—"to be for the benefit of his wife and children". Anything that is written on the face of a policy can be written only at the time of issue.

Sri S. T. Aditya (Madura and Ramnad *cum* Tinnevelly Non-Muhammadan Rural): Endorsements also can be written on the face.

Mr. Chairman: It is an extremely technical matter and I would suggest that there be no interruption.

Sri M. Ananthasayanam Ayyangar: Only to clear doubts, Sir.

Mr. L. S. Vaidyanathan: If at the time of securing the proposal, the proposer says "I want my wife XYZ and my children P, Q and R to be the nominees under Section 39", since the policy preamble says "whatever is stated in the proposal and in the statements made before the examining doctor shall form the basis of the contract", it has been held in some legal quarters that those names mentioned as nominees in the proposal form are as good as being incorporated on the face of the policy: therefore the Married Women's Property Act is attracted. In other cases it is not. So that even now if a life assured desired to have all the elasticity of Section 39 without attracting the provisions of the Married Women's Property Act, he has only to keep quiet till the policy is issued and thereafter write to the company saying that he wanted the policy to be endorsed in favour of so and so as the nominee under Section 39 of the Insurance Act of 1939, that will be quite all right. But human nature being what it is, unless the nomination is made at the time the proposal is secured by the agent, the agent gets indifferent and the life assured is generally indifferent, with the result that several policyholders do not take the advantage of the nomination provision and it becomes very difficult for claims being paid as early as possible. When this state of things takes place it is no use blaming the companies, that they are not prompt in settling claims.

Leaving out assignments for the time being, there are two ways by which s can achieve the object which we desire and I am quite sure my Honour- ble friends on the other side also desire it. This object is to see to it that soon as a death occurred the claim is settled as expeditiously and without ny trouble and that the money is forthcoming at the time of the dire need f the bereaved widow and the children. One way is the nomination way. he other way is a rigid Married Womens' Property Act way. What is spected is that if in the proposal form itself the wife or the children are amed, it is feared that the Married Women's Property Act is attracted nd since most of the lives assured do not want this, it will militate against ominations being made at the time the proposal is taken and unless nomina- ons are made at that time, very likely in 80 per cent of the cases no nomina- on will be made at all. That is why we want to make it easy for nomina- ons being made and it is not at all intended that we should knock out the rovisions of the Married Women's Property Act. As a matter of fact the osition is this. By sub-section 7 of Section 39 to which my Honourable riend Mr. Neogy drew attention, we secure that that section shall not apply to ny policy of life insurance, to which Section 6 of the Married Women's roperty Act, 1874, applies. By that the framers of the 1938 Act secured that ection 39 regarding nomination shall not knock off the Married Women's roperty Act.

Now the boot goes to the other leg. It is feared now that in some cases ie Married Women's Property Act will knock out the elasticity of Section 39 nd thus prevent nominations being made. We want to put these two into bsolutely mutually exclusive watertight compartments, so that lives assured an choose either this or that. When they choose this, they will have the elasti- ity of Section 39 and if they choose that they will have all the privileges nd the rigidity of the Married Women's Property Act. That is the only posi- ion we want to take and there has been a lot of misunderstanding about it. f one takes up the nomiantion way, it will be possible for life insurance ompanies to wait at the death bed of the life assured with the bag of gold nd relieve the distress at the time of the sore need of the widow and children.

Sir, that is all I have to say.

Mr. T. Chapman-Mortimer: Sir, after hearing the very lucid and able peeches which have gone before and, in particular, the speech of my Honour- ble friend, Mr. Neogy, and the speech of my Honourable friend, the Superin- endent of Insurance, I hesitate at this stage to say very much more. But s I have been somewhat involved in this matter, both at an earlier stage nd in this late Select Committee, I should like to say one or two words about his most important clause.

Sir, when I read this clause originally, my immediate reaction was some- what similar to that of my Honourable friend, Mr. Ayyangar. I felt that here was something that was likely to abrogate, if not render null and void, Sec- ion 6 of the Married Women's Property Act. Being somewhat anxious in the matter and having great sympathy with my Honourable friend's point of view, I took a great deal of trouble to examine what the legal position was nd after very careful examination of it, I am fully satisfied that no such pprehension need be feared. And after hearing the speech of the Honour- able the Superintendent of Insurance, I am even more satisfied in my mind than I was before. As he very clearly put it, we are seeking to put these two different matters into watertight compartments and I would therefore urge members to look at Section 39 (those of them who have the Act before them) Sub-Section 7. There they will see that the provisions of this Section shall not apply to any policy of life insurance to which Section 6 of the Married Women's Property Act, 1874, applies. And then I would ask them to look at the Bill. The amendment suggested to sub-section (7) of Section 39 is to add the words "or has at any time applied". Thus the scope of sub-section 7

[Mr. T. Chapman-Mortimer]

is extended straightaway. Then in order to close all doubts a proviso is sought to be added, which reads:

"Provided that where a nomination made whether before or after the commencement of the Insurance (Amendment) Act, 1946, in favour of the wife of the person who has insured his life or of his wife and children or any of them is expressed, whether or not on the face of the policy, as *being made under this section.*"

And I would ask the attention of the House, in particular of my Honourable friend, Mr. Ayyangar, to these last words.

To my mind they absolutely secure the position. It is made absolutely clear that this is a water-tight compartment and that any nomination made under this section will not attract the Married Women's Property Act, and conversely any nomination made in terms that will bring it within the mischief of the Married Women's Property Act, section 6, will in turn be treated separately and will be absolutely secured. . . .

Sri M. Ananthasayanam Ayyangar: I do not want to allow this option. There is no option now. If a man nominates his wife, she automatically gets it and it is no longer open to the husband to say "I do not want to give it to my wife now".

Mr. T. Chapman-Mortimer: If I may say so, my Honourable friend is wrong in his law, with due respect. Not knowing as much law as he may have. . . . . .

Sri M. Ananthasayanam Ayyangar: I am wrong according to one non-lawyer and according to another budding lawyer!

Mr. T. Chapman-Mortimer: Possibly; but in this particular case you are wrong if I may say so; and you are wrong if you will look at the words. The provisions of section 39 are in the first place permissive, and in the second place it is made quite clear from sub-section (7) that they are not to interfere in any way with the provisions of the Married Women's Property Act, section 6. Actually, as the Superintendent of Insurance pointed out, most people who are making provision for their wives and families in the manner to which section 6 of the Married Women's Property Act relates, do it and are bound to do it in a much more strict way than is provided for in this case; and it is because of that very strict provision which exists in respect of the Married Women's Property Act that the wording of section 38 is somewhat different from the wording of section 39. If Honourable Members will turn to section 38, they will find there that assignments or transfers under that section have to be attested by a witness, whereas a nomination under section 39 is not to be so attested by a witness. The reason for that is quite simple, and my recollection is that it was always clear to the mind of those members of the Select Committee of 1937. In 1937 what we sought to do was this: we sought to make a provision which would be simple and would apply to thousands of cases, where there was no thought of attracting the provisions of the Married Women's Property Act. What we were trying to do was to provide for the case of the small policyholder whose family were not well off and who were likely to be dependent solely on any proceeds of the life policy. In such a case there was no need to insist that a provision which was to secure the benefits to the wife and children, namely, nomination, should at once attract the very strict trustification proposals which are set out in the Married Women's Property Act, section 6. What they wanted to do was to make it relatively simple—I emphasise the word 'relatively'—for the heir or heirs of the policy-holder to secure the benefit accruing to them under the policy. For that reason the Select Committee agreed to these seven sub-sections of section 39, and thereafter the House endorsed that and the intention was perfectly clear.

In that connection I should like to say a word about the wording of Government's original Bill and the notes on clauses. I think, if I may say so, their wording was to say the least of it, unhappy. Quite rightly they said that no one wanted to attract the provisions of the Married Women's Property Act; but the wording used might have been happier. .

Sri M. Ananthasayanam Ayyangar: It is retrospective also.

Mr. T. Chapman-Mortimer: It is to be retrospective also, and has to be retrospective. If it were not retrospective, the utmost chaos would arise.

I do not think I need say more, except to say that we in this Group intend to support Government in this matter, because though we are sympathetic towards the point of view expressed by Honourable Members opposite, we are satisfied that, on examination, the doubts and hesitation which was in our minds in the beginning have been satisfactorily dispelled by the very clear statement, if I may say so, made by the Superintendent of Insurance.

Sjt. N. V. Gadgil: Sir, there has been a good deal of attack over this clause. The reason first advanced in introducing this amendment was to bring out more clearly the original intention as contemplated when the last legislation took place. When that argument was found untenable—and that has been conceded by the last speaker—the real intention has become obvious; does this amendment mean a departure from the present position of the law? It does. I respectfully submit that the proviso does contemplate a departure. It reads:

"Provided that where a nomination made whether before or after the commencement of the Insurance (Amendment) Act, 1946, in favour of the wife of the person who has insured his life or of his wife and children or any of them is expressed, whether or not on the face of the policy, as being made under this section, the said section 6 shall be deemed not to apply or not to have applied to the policy."

From the speech of my friend, Mr. Vaidyanathan, I gather that he contemplates two types of policy—one under section 39 of the Act, and one governed by section 6 of the Married Women's Property Act. But that is not the position. If, under section 39, a man nominates his wife, what is there to show that it is a nomination under section 39 and not a nomination under section 6 of the Married Women's Property Act, except if we accept his very narrow interpretation about the words in section 6 of the Married Women's Property Act, which reads as follows:

"A policy of insurance effected by any married man on his own life and expressed on the face of it to be for the benefit of his wife."

Now, these words "expressed on the face of it" mean nothing more than expressly expressed. If a man writes the name of his wife, it does mean expressly expressed. There is no necessity to put any other wording or any other phrase to bring it in the purview of the said section.

Now, there has been a good deal of difference of opinion. There have been different views about the exact interpretation of this. Justice Das sums up the position as follows:

"Reviewing all these authorities, one is forced to come to the conclusion that in a case where the wife and children or any of them are nominees, although there may not be any express words, save that the policy is for their benefit, a trust is created."

If you accept this proviso in the Bill it means that what the position is today is departed from. That is so. I differ from my friend, Mr. Vaidyanathan. If that is so . . . . . .

Mr. L. S. Vaidyanathan: I would say in reply: what is there to show that it is under this section? I would like my Honourable friend to underline the words "is being made under this section". He has to say there "under section 39 of the Insurance Act, 1938, I nominate so and so to be the beneficiaries of the policy."

Sri M. Ananthasayanam Ayyangar: It is in your Bill, not in the Act.

Sjt. N. V. Gadgil: That only concedes my argument that you are departing from the present position. Today in section 39 there is nothing to justify the interpretation you put. You only put that interpretation on the assumption that the amendment is passed. If under the present Act I simply nominate my wife, immediately that thing operates as a trust. But you now give the option to the man by your new amendment to say that you want your policy to be governed, not by the provisions of the Married Women's Property Act, but by this particular legislation, namely, Act of 1946. That is a departure. I think in the interests of married women this ought not to be allowed. Why sub-section (7) of section 39 was added has been amply made clear: it was only for the purpose of securing the character of the policy as a trust that this sub-section was added then; and now what you are trying to do is to take away this character of trust and let the husband do away with that sacred character and do away with the policy or deal with it in any way he likes. That was not the intention. That is not the intention; and if you put it on a different ground, say so. If you want to introduce a new thing, you must say it straight.

Mr. Abdur Rahman Siddiqi: Mr. Chairman: I think I shall have to recast all my notions of relevancy and responsibility after the manner in which Honourable Members to my right have run off at more tangents than one. Talking of the principles of insurance and running away from the actual amendment proposed has perhaps become an obsession with my Honourable colleague of the Select Committee who has spoken in the same way on the same points for more than once. Before I go further I should like to remove an impression which perhaps my defective language may have created about the best brains of the Select Committee. It was not the Select Committee of which I was a member but I was referring to the Select Committee that had passed almost all these amendments. That committee, as the Honourable the Commerce Member told us on the first day consisted of men of the calibre of Mr. Bhulabhai Desai, Mr. Nirmal Chunder and many other men of eminence. They had agreed to most of these points and after that the Indian Insurance Association, many Chambers of Commerce and other public men and organizations had expressed their views favourably on the provisions as sanctioned by that Select Committee of the best brains of India of which I was not a member. I hope my explanation will be accepted by the Honourable Member who took exception to my remark.

Sir, to get up and talk of who said this and why it was said and so on and so forth restricts our imagination as well as our attempt to understand things. The Legislature should after all reflect the progress of public opinion in the country else it will not be called progressive. My own feeling is that whether it was 1874, 1923 or 1938, since then our Indian public has begun to understand insurance as well as assurance and therefore Honourable Members should realise that the man assured does not want his freedom to assign or to nominate to be interfered with by any rules or laws of a cramping type. Here is a clear choice given to him. He can do this or he can do that. I do not understand why if I have five policies I should not nominate under the Married Women's Property Act any one of the policies and the remaining four too I should like to give to my wife and children but circumstances may arise, where I should have the liberty to deal with those other policies as I like. I may also point out to Honourable Members who consider men connected with the insurance companies as regular *badmashes* and apaches that there is a possibility of the assured party taking advantage of the Married Women's Property Act to cheat his creditors. They have not thought of that possibility. (Interruption). I should not like to be disturbed, Mr. Chairman. They can have their say when they rise to their feet. I have noticed the tendency, Mr. Chairman, that when you use a telling argument gentlemen of the mentality of Honourable Members to my right go on creating disturbances and indulging in a running commentary particularly when somebody is speaking not quite to their choice. To have got up and said that insurance company shareholders want to run away with the money of the assured person is to have talked baldash, is to have talked about a matter

they knew nothing whatsoever about. Insurance Companies, Mr. Chairman, get their commissions and incomes by fair and honourable means. To mention only one company which on a capital of Rs. 74,000 gets a crore of rupees in premia through sheer brilliance, and expert knowledge is something of which every Indian should be proud. I was rather surprised that opinions of the London Life Office were inflicted on us as if they were what my friends to my right would call *akashvanis*, as if God Almighty had said those things. There are persons in this country who know about life assurance and can express opinions as authoritatively and as well as any person in London. I know we have not reached the stage where any Indian Assurance Company has even reached its first 100 years not even the Oriental, in the field of insurance and yet I claim that it will be difficult even for London to find an actuary of the calibre of the present Superintendent of Insurance in India. Yet, friends have got up in this House and said things which, if I may put it very mildly, should not have been uttered by people who call themselves Indians.

Sri M. Ananthasayanam Ayyangar: What do you mean?

Mr. Chairman: Will the Honourable Member take some time longer to finish his speech?

Mr. Abdur Rahman Siddiqi: I would like to speak on the next day, Sir.

Mr. Chairman: The House will now adjourn.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 20th February, 1946.

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LEGISLATIVE ASSEMBLY DEBATES

WEDNESDAY, 20th FEBRUARY, 1946

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LEGISLATIVE ASSEMBLY

Wednesday, 20th February, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

SCIENCE ACADEMYS AT CALCUTTA AND BANGALORE

379. *Prof. N. G. Ranga: (a) Will the Education Secretary be pleased to state if he has recognised the Science Academy at Calcutta and not recognised the Indian Academy of Science at Bangalore? If so, what are the reasons therefor?

(b) What is the membership of these organisations?

(c) Is it a fact that the Bangalore Academy was asked to approach the Government of India through the Calcutta Academy with its application for a grant for its very valuable periodical?

(d) If so, why do not Government allow independent scientists or their organisations to approach Government directly for assistance?

Dr. John Sargent: (a) The Honourable Member is presumably referring to the National Institute of Sciences of India whose headquarters have been for a long time in Calcutta and are now being transferred to New Delhi. The Institute has been recognised by the Government of India as the premier society representing all branches of science in India. There are three existing all-India scientific societies—The National Institute of Sciences of India, Calcutta, The Indian Academy of Science at Bangalore, The National Academy of Science, Allahabad, and the need has long been recognised of having one body which would speak with the same authority on scientific subjects as the Royal Society in Great Britain. The Government of India referred this question in 1936 to Sir James Irvine, Principal of the St. Andrews University. Taking into consideration the history of these bodies, their aims and objects, and their prospects of representing science in India as a whole, Sir James Irvine placed the National Institute of Sciences of India first on the list. This recommendation has since been endorsed by Prof. A. V. Hill, Secretary of the Royal Society who visited India in 1944. The decision of the Government of India, has therefore, been taken on the best expert advice available.

(b) At the end of 1945 the National Institute of Sciences had 219 Ordinary Fellows and 25 Honorary Fellows on the roll. In the same period, the Indian Academy of Science had 199 Ordinary Fellows and 40 Honorary Fellows.

(c) The answer is in the affirmative.

(d) One of the objects of the recognition of the National Institute of Sciences as the premier scientific society of India is to constitute a body from whom the Government of India can seek authoritative advice on problems relating to scientific training and research. If that object is to be achieved, it is necessary that the Government of India should have the advice of the National Institute in regard to applications submitted by individual scientists or by scientific bodies which do not belong to the National Institute.

Prof. N. G. Ranga: In view of the fact that scientists are nearly equally divided as between these two organisations what is it that prevents Government from recognising both and gaining their co-operation or trying to bring about some co-operation and compromise between these two organisations so that it may be possible to have one all-comprehensive organisation of scientists in this country?

Dr. John Sargent: I am glad to say that in both cases strong efforts have been made to secure that co-operation and, I believe, with a considerable measure of success. Practically all the leading scientists of India with one notable exception are, I think, members of the National Institute while retaining membership of any other bodies that they may belong to. And my latest information is that that very distinguished gentleman may, as we all desire, decide to join the Institute in the near future.

Dr. Sir Zia Uddin Ahmad: Government must be aware that this split was due to a difference of opinion between two scientists. What action are they taking to unite them in view of the fact that it is inconvenient for scientists to belong to two organisations resulting in great expenditure of time and money?

Dr. John Sargent: I am glad to say that action is, I think being taken by the scientists themselves. Any kind of help to bring about a rapproachment which one can give we certainly will give.

Dr. Sir Zia Uddin Ahmad: What help are Government giving in this matter?

Dr. John Sargent: I have done everything that I could. I have discussed this matter with the representatives of the Institute and, as I have just said, I was delighted to hear that as a result of the action which they have taken, which I have done everything to encourage, this rapproachment is taking place.

Prof. N. G. Ranga: Are Government aware that great resentment prevails among scientists who are associated with the Bangalore Academy because their application to the Government of India for assistance from Government for their journal was turned down on the ground that it should first of all be sent to the Calcutta Institute?

Dr. John Sargent: I was not aware that there was any resentment. In regard to the second part of the question, it seems to me implicit in the fact that it is desirable to have a body speaking for science as a whole that Government should refer to it important scientific questions. With regard to this particular application, my suggestion to the body making it was that it would be more in accord with the dignity of a learned profession if they secured the support of their colleagues in the profession in the first place rather than used my Department as a post office.

Prof N. G. Ranga: In view of the fact that we have so many distinguished scientists in India, where is the necessity for Government to go and consult some scientists in England or bring a scientist from England on a roving mission in order to ask for his opinion as to which organisation should be recognised? Why do not Government recognise both and at the same time use their good offices to bring about unity between the two?

Dr. John Sargent: We felt, as other countries have felt, that it would help to have one society to which we could refer, rather than two rival societies.

Sri M. Ananthasayanam Ayyangar: May I know if the differences between the two important scientists was not reflected in the matter of selection of students for training abroad, and those persons who had qualifications from or training in Bangalore Academy were rejected merely because they were connected with Sir C. V. Raman?

Dr. John Sargent: No, Sir, that is quite contrary to my impression.

Sri M. Ananthasayanam Ayyangar: May I know why Sir C. V. Raman was not sent to England along with the other scientists? Is it the policy of the Government of India to reject him or to persistently put him down?

Dr. John Sargent: Certainly not. I think we all have the greatest respect for the gentleman in question.

Sri M. Ananthasayanam Ayyangar: Then why was he not sent to England along with the other scientists?

Dr. John Sargent: I shall require notice of that; I was not dealing with it at the time.

FOODGRAINS SCARCITY IN MYSORE

330. *Prof. N. G. Ranga: Will the Food Secretary be pleased to state:

(a) if it is a fact that foodgrains scarcity in the Mysore State has become worse during November, December and January;

(b) if the State Government has asked for additional supplies of foodgrains from the Government of India and to what extent such additional supplies have been made;

(c) if it is also a fact that in Chitaldurg and neighbouring districts, crops have failed and so the local production of foodgrains has been reduced considerably;

(d) the latest foodgrains supply position in Mysore; and

(e) what further steps are proposed by the Mysore State Government and are being taken by the Government of India to relieve the foodgrains scarcity of the Mysore State?

Mr. B. R. Sen: (a) The food position in Mysore State has deteriorated during these months owing to the continued failure of rains.

(b) Yes. The State has asked for additional supplies. Certain allotments have already been made and further assistance is being considered in the light of supplies available or likely to be available.

(c) Yes.

(d) The stocks of rice and millets at present in the hands of the Mysore Government are expected to suffice for several months more; meanwhile they will be receiving extra assistance from outside and procuring some grains internally also.

(e) The Government of India are closely watching the food position in Mysore from day to day and will endeavour to give as much assistance in the form of allotments of foodgrains from outside as possible.

Meanwhile the Mysore Government have undertaken the following measures:

(1) The beds of tanks and irrigation reservoirs have been thrown open for the cultivation of quick growing food crops.

(2) Distribution of electric power is being extended in areas where lift irrigation is possible.

(3) Cattle are being moved from the affected area to State forests where grazing is allowed free of charge.

(4) Hay is being transported to the affected areas.

Prof. N. G. Ranga: Is rural rationing being introduced in all the rural parts of Mysore in order to economise consumption of foodgrains and also to effect their equitable distribution?

Mr. B. R. Sen: Yes, Sir; some form of rural rationing has already been introduced in the Mysore State and steps are being taken to improve the form of rationing.

FORCED LABOUR PROBLEM OF INDIA.

331. *Prof. N. G. Ranga: Will the Honourable the Labour Member be pleased to state:

(a) if it is a fact that Government propose to appoint a Committee with a non-official chairman to study the Forced Labour problem of India; if so, its terms of reference,

(b) whether the Indian States will also be included in its purview; and

(c) whether the representations of the Kisans, Adibasis, Harijans, whose members are so largely subjected to *begar* or *Vetti* or forced labour will be invited to be its members?

The Honourable Dr. B. R. Ambedkar: The matter is under consideration

GRIEVANCES OF INDIAN EVACUEES FROM SOUTH EAST ASIATIC COUNTRIES

382. *Mr. P. B. Gole: Will the Secretary, Commonwealth Relations Department be pleased to appoint a committee of elected members of both the Houses to inquire into the grievances of Indian evacuees from South East Asiatic countries and ascertain if any discrimination was made in favour of Anglo-Burmans and Europeans to the detriment and suffering of the Indians and to fix the responsibility for such discrimination?

Mr. R. N. Banerjee: It is not clear if the Honourable Member has in mind grievances about discrimination during the process of evacuation or such grievances in respect of the arrangements made for the maintenance of evacuees after their evacuation to India. Any enquiry into the former grievancies so late in the day would obviously be impracticable and Government do not make any discrimination in respect of provision for the post-evacuation maintenance of evacuees. Appointment of a committee of enquiry is not, therefore, considered necessary.

Mr. P. B. Gole: In my question I referred to the complaints of evacuees in the process of evacuation and the answer is that it is too late. I should like to know how it is too late to inquire into the grievances.

Mr. R. N. Banerjee: The evacuation took place in 1942.

Shri Mohan Lal Saksena: When were the grievances brought to the notice of the Government?

Mr. R. N. Banerjee: Certain grievances came to the notice of the Government at the time and Government did what they could to mitigate them.

Shri Mohan Lal Saksena: Did they investigate into their grievances?

Mr. R. N. Banerjee: They did their best.

Shri Mohan Lal Saksena: My question is specific: Did they investigate into the grievances, or not?

Mr. R. N. Banerjee: Certain general enquiries were made.

Shri Mohan Lal Saksena: What was the result of the enquiries?

Mr. R. N. Banerjee: Sir, I require notice of that question.

Mr. President: Next question.

CORRIDOR TO H. E. H. THE NIZAM'S DOMINATIONS

383. *Prof. N. G. Ranga: Will the Honourable the Leader of the House be pleased to state:

(a) if it is a fact that representations have been made to the British or Indian Government or both by the His Exalted Highness the Nizam's Government or by any non-official organisation for granting a corridor to the Nizam from the Nizam's dominions to the Masulipatam port; if so, when such representations were made;

(b) the answers given by the British or Indian Government: and

(c) whether the Government of India will give an assurance that no such grant of the British Indian territory will be made to the Nizam or to any other Indian state until the Constituent Assembly discusses and decides upon such questions?

The Honourable Sir Edward Benthall: (a) No.

(b) Does not arise.

(c) Any such proposal would involve the diminution of the area of a British Indian Province or Provinces and would, therefore, fall to be effected by Order in Council under section 290 of the Constitution Act under the operation of which the Secretary of State would be required to take steps to ascertain the views of the Central Government and of the Chambers of the Central Legislature and the views of the Government and of the Chamber or Chambers of the Legislature of any Province affected by the proposal before a draft of the necessary Order was laid before Parliament.

Prof. N. G. Ranga: In regard to part (c), there is a different question here, namely that no such procedure should be followed and no decision should be taken until the Constituent Assembly discusses and decides upon such questions. That has not been answered by my Honourable friend. Even supposing that Constituent Assembly is not expected to come into being, he gives us the procedure to be followed, but now that the Constituent Assembly is going to come into existence, will the Government of India hold up that procedure and action until that Constituent Assembly comes in?

The Honourable Sir Edward Benthall: No, Sir. I have described the constitutional position and the Constituent Assembly does not come into the constitutional position. I could not clearly give such an undertaking as is asked for in case the Constituent Assembly never did come into existence. But obviously no specific action is or ever would be intended in the meantime.

Prof. N. G. Ranga: If the answer to part (a) of the question is in negative, do I take it that it covers both the Governments—the Government of India as well as the British Government?

The Honourable Sir Edward Benthall: My reply to the whole question was 'no'.

Dr. Sir Zia Uddin Ahmad: While thanking Prof. Ranga for drawing the attention of the Mussalmans of India who have all along been sleeping over this matter, I ask the Honourable Member to hand over immediately to the Nizam Government the territories misappropriated by the British Government. And if not, why not?

Mr. President: Order, order.

Dr. Sir Zia Uddin Ahmad: I want a reply to my question—"If not, why not"? Why ceded districts and Berar are not handed over immediately to the Nizam's Government, and if not, why not? That is my question.

Mr. President: That does not arise out of the question.

Dr. Sir Zia Uddin Ahmad: It does.

Mr. President: It does not. Order, order.

Mr. Manu Subedar: May I ask what machinery, if any, Government have devised in order to take the consent of the population who will be transferred if these negotiations succeeded?

The Honourable Sir Edward Benthall: That does not arise. I have described the procedure as laid down under the Constitution Act.

Maulana Zafar Ali Khan: Was the Port of Masulipatam ever part of the Nizam's Dominions?

Prof. N. G. Ranga: Never.

The Honourable Sir Edward Benthall: That question does not arise.

Dr. Sir Zia Uddin Ahmad: Was the public consulted at the time the Government took possession of Berar, ceded districts and Masulipatam? Why consult now?

Mr. President: Order, order. Next question.

FOODGRAINS SCARCITY IN CERTAIN MADRAS DISTRICTS.

384. *Prof N. G. Ranga: Will the Secretary, Food Department be pleased to state:

(a) if it is not a fact that in Rayalaseema, Cuddapah, Kurnool, Chittoor, Bellary and Anantapur districts the Madras Government have been obliged to suspend the collection of the first *Kist* owing to the failure of crops;

(b) whether the Cuddapah Food Council has drawn the attention of Government in January, 1946, to the extreme scarcity of foodgrains;

(c) whether the black market price of rice has gone up to Rs. 75 per two maunds;

(d) whether many public leaders like Dr. Pattabhi, and Mr. T. Prakasam have expressed grave concern over this growing famine condition and extreme scarcity of foodgrains;

(e) whether the Madras Government have asked for any special assistance of the Government of India, including special supply of foodgrains; and

(f) what action Government propose to take or have taken to relieve the distress of the masses of this area?

Mr. B. R. Sen: (a) The information is partially correct in respect of Bellary and Kurnool Districts.

(b) No representation to that effect has been received by the Madras Government or the Commissioner of Civil Supplies.

(c) Government have no such information.

(d) Government have not received any such representation from either of the two gentlemen named.

(e) Yes, Sir.

(f) The Government of India have allotted certain extra quotas to the Madras Government to meet the emergency and the Madras Government themselves have arranged for the movement of special quotas to the affected districts. Further assistance is under consideration. Also, the Madras Government are proposing to have more fair price grain shops and co-operative stores and are intensifying arrangements for the procurement of surplus stocks.

Prof. N. G. Ranga: In regard to part (c) of this question the Honourable Member says that he has no such information. Is it not his duty to make enquiries about the existence of black market price, as is alleged here, being Rs. 75 per two maunds, when this matter was brought to his notice and when it was so very easy for him to look at the daily papers?

Mr. President: What is the Honourable Member's question?

Prof. N. G. Ranga: Is it not his duty to ascertain this information and place it before this House—whether it is correct or not?

Mr. B. R. Sen: I am prepared to make enquiries.

Prof. N. G. Ranga: In regard to part (d) of this question, I must enter my emphatic protest against the procedure followed by this Government. Dr. Pattabhi and Mr. Prakasam, Andhra leaders, have made certain statements in regard to the serious nature of the famine conditions prevailing there; they were published in all the important Dailies. Is it not the duty of the Government to keep themselves in touch with the way in which public opinion is expressing itself before they give an answer to a question when it is definitely placed before them?

Mr. B. R. Sen: The Government are fully in touch with public opinion on the subject. They are aware of the concern expressed by the public leaders on this question, but they have not noticed any particular statements by the leaders referred to by the Honourable Member.

Sjt. N. V. Gadgil: Has the Honourable Member noticed the appeal by the Viceroy for public co-operation in the matter of food?

Mr. President: Order, order.

Prof. N. G. Ranga: Sir, the Honourable Member gave the answer that they did not receive any representation from either of these two gentlemen. I take exception to that. When I drew their attention to this statement . . . .

Mr. President: The Honourable Member's point seems to be that the Government is bound to be in touch with all that appears in the papers. The Honourable Member's reply is that they are trying to keep themselves in touch with the public opinion, but sometimes they miss some statements. Is that right?

Mr. B. R. Sen: Yes, Sir.

Prof. N. G. Ranga: If he wants let him consult the records here. It is drafted by somebody . . . . .

Mr. President: Order, order. What is the question of the Honourable Member?

Prof. N. G. Ranga: My question is whether many public leaders like Dr. Pattabhi and Mr. Prakasam have expressed grave concern over this growing famine condition and extreme scarcity of foodgrains. The answer, as I understood it,—I may have heard him wrong—was that they have not received any representations from these gentlemen. That is a very impertinent answer according to me.

Mr. President: What is the reply of the Honourable Member?

Mr. B. R. Sen: As I have already said, Government are in touch with public opinion on the subject. Concern has been expressed by public leaders all over the country, but, unfortunately, we have received no information about statements supposed to have been made by these two public leaders.

Prof. N. G. Ranga: That is a little improvement upon your written answer.

VISITS ABROAD OF SIR THEODORE GREGORY

385. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member please state how many visits abroad Sir Theodore Gregory has paid since the outbreak of the war?

(b) What was the object of each of them?

(c) What were the reports submitted by him to the Government of India?

(d) Do Government propose to give copies of such reports to the Members of the Assembly?

The Honourable Dr. Sir M. Azizul Huque: (a) Six.

(b) A statement is placed on the table.

(c) (i) A report on the prospects of Indian trade with United States of America prepared jointly with Sir David Meek.

(ii) A report on the United Nations' Monetary and Financial Conference at Bretten Woods, prepared jointly with other members of the Indian Delegation.

(d) Copies of the two reports mentioned above are available in the Library.

Statement of the visits made by the Economic Adviser to the Government of India to foreign countries

S. No.	Year of visit	Country visited	Object of the visit
1	1940	U.S.A. . . .	To conduct (jointly with Sir David Meek) an investigation into the prospects of finding alternative markets in North and South America for Indian products purchased by Continental European countries before the war.
2	1941	Singapore . .	To attend an informal conference to discuss co-ordination of economic policy in the Far East.
3	1942	United Kingdom .	To attend discussions held in London between experts of Empire countries to discuss the implication of Art. VII of the Mutual Aid Agreement between U.K. & U.S.A.
4	1943	Cairo . . .	To attend as Observer the Anti-inflation Conference of the Representatives of the Middle East countries.
5	1944	U.S.A.—U.K. .	To attend the United Nations Monetary and Financial Conference at Bretton Woods.
6	1945	U.K. . . .	To investigate working of Census of Production and Registrar General's Office in connection with the work of the Inter-departmental Committee on Statistics.

Mr. Manu Subedar: In view of the fact that the public in this country dislikes secret missions by officials, will the Honourable Member let me know whether Sir Theodore Gregory during any of his trips took up the question of the sterling balances or had any share in drafting the two obnoxious clauses of the Anglo-American Loan Agreement, pernicious to the interests of India?

The Honourable Dr. Sir M. Azizul Huque: First of all, I deny that there is any secret official Mission, and, secondly, I might mention that sometimes it is very difficult for Government because my Honourable friends on the other side will not agree to go into some of these Missions, and we have perforce sometimes to send officials. As regards the latter part of the question, so far as I am aware, there is nothing by which I can justify or even hold that that impression is even correct.

Mr. Manu Subedar: Did he during his period of tour and delegation in any one of these six visits handle with His Majesty's Government's representatives the question of the sterling balances of India, and more specifically the obnoxious clauses of the Anglo-American Loan relating to the sterling balances?

The Honourable Dr. Sir M. Azizul Huque: I am quite certain that it could not have been because the time of his last visit was early in 1945 and these questions were taken up at the much later stage, and I have no information whatever to warrant the impression that he had anything to do with some of these clauses referred to by my Honourable friend.

Mr. Manu Subedar: Has he made any other reports besides those mentioned by the Honourable Member?

The Honourable Dr. Sir M. Azizul Huque: So far as the Government of India is concerned, if my friend refers to reports in India about India, certainly he is from day to day engaged in different reports to different Departments.

Mr. T. Chapman-Mortimer: With reference to part (d), were any of these reports placed before any non-official advisory committee representing non-Members of this House before they were placed in the Library of the House?

The Honourable Dr. Sir M. Azizul Huque: As far as I know they were circulated and broadcast throughout India, at least the Bretton Woods Monetary Conference report.

Mr. T. Chapman-Mortimer: My point is, at the stage when they were confidential and before they had been finally released to the public, were they presented to any of these non-official bodies?

The Honourable Dr. Sir M. Azizul Huque: I am not aware of that but I will note this.

WAR-RISK INSURANCE FUND

386. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member please state the total figure now standing at the credit of the War Risks Insurance Fund in respect both of insurance of factories and of goods?

(b) Is the amount kept separate, or, is it merged with the general balances of the Government of India?

(c) Do Government propose to return this money to the insurers directly in proportion to the amount paid by them?

(d) Have Government considered the purpose for which they would put these funds so as to benefit those, from whose pockets these funds have been derived?

(e) Have Government considered whether these accumulated funds could not form the nucleus for a re-insurance organization in India under the auspices of Government so as to prevent Indian Insurance Companies having to seek treaties and re-insurance abroad through individual negotiations?

(f) Has any suggestion been made to Government for the use of a portion of these funds to provide cover for riot and civil commotion insurance at a very low rate?

The Honourable Dr. Sir M. Azizul Huque: (a) The latest figures show the total balance in these two War Risks Insurance Funds is Rs. 32,47,53,074-12-7.

(b) These balances are merged in the Central Government's balances. A *pro forma* account however is maintained showing the amounts of these two funds.

(c), (d) and (e). The Honourable Member's attention is invited to Section 7(3) of the War Risks (Factories) Insurance Ordinance and Section 9(3) of the War Risks (Goods) Insurance Ordinance which prescribe that if at any time the amount standing to the credit of these funds exceeds the sum which in the opinion of the Central Government is likely to be required for the making of payments out of this fund the excess shall be paid into General Revenues.

(f) No.

Mr. Manu Subedar: May I know why this very large sum, which was taken for certain purposes, and on certain excuses if I may say so, is not being used for the benefit of those from whom it was taken in the form of a nucleus for a re-insurance company in this country?

The Honourable Dr. Sir M. Azizul Huque: It is always easy to be wise after the event. But if supposing any contingency did arise, the entire fund would have been required and even more. So far as expenditure on the specific purpose is concerned, I have already drawn the attention of the Honourable Member to the clauses of the two Ordinances by which the balance will form part of the general revenues, not only for the benefit of the particular task but for the country as a whole.

Mr. Manu Subedar: Is my Honourable friend aware that a foreign company, coming from New Zealand, is trying to establish a re-insurance business in this country and it is harmful to India, and will he consider the suggestion that this fund should be made the nucleus of a re-insurance company in India

The Honourable Dr. Sir M. Azizul Huque: The point is that I am not aware of it. If my friend gives me the information on this specific point, I will make an enquiry. As regards part (b) I am precluded from doing that as part of the expenditure from this fund, on account of the Ordinance, is to form part of the general revenues

Mr Manu Subedar: The sections referred to by my Honourable friend are the Ordinance sections. They were never passed by this House. If Government brought a proposal to this House for the acceptance of a portion of this very large sum of Rs 32 crores, I am sure the House would consider it. Will Government put up such a proposal? That is the point.

The Honourable Dr. Sir M. Azizul Huque: I will certainly consider it. But the Ordinance has been functioning for many years and I have not received any complaint from the House.

Seth Govind Das: Will the Honourable Member see that no foreign company for re-insurance is established in this country?

The Honourable Dr. Sir M. Azizul Huque: I have already answered my friend. In the meantime that does not arise.

SHIPPING IN INDIAN WATERS

387. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member please state whether any stipulations, proposals or settlements have been negotiated with the United Kingdom in regard to shipping in Indian waters? If so, what are they; and will the papers be circulated?

(b) What was done in this matter during the long period of deputation of Mr. Pillai to the United Kingdom?

The Honourable Dr. Sir M. Azizul Huque: (a) No, but negotiations with United Kingdom interests are in contemplation.

(b) The Commerce Secretary had some informal and tentative discussions with the appropriate authorities during his visit to London last winter. The Government of India are maintaining close touch with His Majesty's Government in the matter, and hope to arrange for more formal discussions later in the year.

Mr. Manu Subedar: Is the Honourable the Commerce Member in a position to give an assurance to this House that during these technical negotiations no commitments on the part of India have been made which some of us might consider prejudicial to Indian interests?

The Honourable Dr. Sir M. Azizul Huque: When the record of this Government will be written, at a time when my friend will come into power, he will find that no such thing has ever been done.

IMPORT CONTROL

388. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member please state what modifications have already been made in the import control?

(b) On what basis is the import control now worked, and what is the basis of priority now given as between various firms who wish to import?

(c) Are there any cases when the import licences are given, that the exchange is not given?

(d) Are there any cases when the exchange is given, that the shipping is not available?

(e) What special steps, if any, are Government generally taking to see that the requirements for machinery, equipment, spare parts and essential chemicals on the part of industrialists in India are met?

The Honourable Dr. Sir M. Azizul Huque: (a) The most important modification made in administering Import Control relates to the liberalisation of imports from countries in the sterling area. I may invite the attention of the Honourable Member to the Open General Licence No. VII, published in *Gazette of India Extraordinary* of the 22nd January and the 4th February 1946, which permits imports without restriction of a number of articles of consumer and producer types from the United Kingdom and other British Empire countries in the sterling area. We have also announced from time to time that licenses will be issued liberally for imports from the sterling area except in the case of those goods which are included in the co-ordinated international allocation programmes, such as foodstuffs, certain textiles, fertilisers, etc. Steps have also been taken to simplify the licensing procedure as far as possible.

(b) The main basis for licensing imports of goods is the same as before, namely conservation of non-sterling currency and conservation of shipping space, though the latter consideration is losing its importance. Further, during the difficult period of transition from war-time to peace-time economy import control serves the following objects:

(i) safeguarding legitimate interests of Indian industries;

(ii) facilitating disposal of war-time surpluses; and

(iii) regulating purchase of capital goods so as to ensure the industrial development of the country on sound lines.

There are no general criteria for priority between various importing firms except that in order that trade contacts may be maintained preference is given to regular established importers in the matter of grant of licences.

(c) No. Exchange facilities are invariably given in cases where licences for imports from a non-sterling area are issued.

(d) There were cases in the past, but none so far as the Government are aware at present.

(c) A special organisation known as the India Supply Commission is functioning in the United Kingdom under the High Commissioner for India, London, mainly for giving assistance to industrialists in the procurement of their requirements of machinery, equipment, etc., from that country. Similarly, the Indian Supply Mission in Washington renders such assistance as is possible in regard to imports into India from North America.

Mr. Muhammad Nauman: Is it a fact that the importers who cannot establish their claim for a particular year are not given permission as against those who did import in those years but have no records of any previous years?

The Honourable Dr. Sir M. Azizul Huque: That is inevitable in a system in which import licenses can only be given up to a certain fixed limited quantity and if we have to issue licenses for a fixed limited quantity we have to go by a basic year. If we allow everybody to come in, it will practically nullify the very effect of import control. If my friend refers to the basic year in his calculation, it is certainly the case but we have been trying to see that that does not create unnecessary hardship to the general interests of the public.

Mr. Manu Subedar: Is the Honourable Member aware that there is discontent among the business people seeking these licenses not only for the strict adherence to the pre-war quota which my friend mentioned, but because the direction of trade has completely changed. There were enemy countries, there were other countries with which there was large trade. Now there are other countries with which there is large trade. Will my Honourable friend assure this House that he will further simplify the system and in particular remove this complaint of discrimination?

The Honourable Dr. Sir M. Azizul Huque: As I have said, I am looking into that question of discrimination, which my friend referred to sometime last week. As regards the other question, we have been trying our best to simplify the procedure and almost every week we are considering the different aspects of the new pattern which is coming into the world or is likely to come into the world.

Dr. Sir Zia Uddin Ahmad: Is the Honourable Member aware of the fact that there is great excitement and agitation in the United Provinces over the giving of licenses to textile mills and refusing the same to a spinning factory, so much so that a resolution was unanimously passed by the United Provinces Committee on Food and Cloth Control about this discrimination?

The Honourable Dr. Sir M. Azizul Huque: With reference to certain articles involving merely *pro forma* issue of licenses we have to issue them on the recommendation of the Department concerned. If my friend refers particularly to textile machinery, we have to issue licenses in accordance with the advice or the recommendations which are made by either the Planning or the Industries Department.

Dr. Sir Zia Uddin Ahmad: My Honourable friend has avoided the issue. The sterling balances of which we have heard so much lately are now definitely being utilised for the benefit of the billionaire and not for the benefit of the people.

The Honourable Dr. Sir M. Azizul Huque: We are issuing licenses for both sterling and non-sterling areas and I have not to my knowledge any information that this has been utilised for the purpose of helping the sterling areas or millionaries.

Dr. Sir Zia Uddin Ahmad: Why did you give licenses to the textile industry and refuse the same to the spinning mills?

The Honourable Dr. Sir M. Azizul Huque: Because, as I have explained, this Department has to issue licenses for food, for agricultural implements, for

textile machinery, and various other categories of articles for which this Department has to issue licenses on the decision of the Departments concerned. If my Honourable friend wants any particular information on any particular point, I am quite prepared to supply it by getting it from the Department concerned.

Dr. Sir Zia Uddin Ahmad: The Department which actually refused the license is your Department. You ought to know something about your Department.

The Honourable Dr. Sir M. Azizul Huque: I know much more about my Department than the Honourable Member thinks he knows about his University.

Mr. Manu Subedar: Will the Honourable Member consider the case of those firms which had large dealings with countries from which no imports can now be received or which are new firms that have arisen in the last six years, for some share of the import quota?

The Honourable Dr. Sir M. Azizul Huque: We have considered these and we have specially considered the case of those firms, Burma evacuee firms and other firms, which have been dealing with the Far East. As regards the infusion of new blood, we are trying our best to see that *bona fide* cases are favourably considered.

Seth Govind Das: Is the Honourable Member aware that there is great corruption in those Departments on whose recommendations these licenses are issued?

The Honourable Dr. Sir M. Azizul Huque: I think I have explained the other day that my friend is more aware of corruption and blackmarkets than myself.

Mr. T. Chapman-Mortimer: The Honourable the Commerce Member mentioned "new blood". Would he bear in mind very carefully the possibility that the "new blood" may have been taken out of an old body so as to defraud the public revenues?

The Honourable Dr. Sir M. Azizul Huque: It is very difficult for me to distinguish or analyse the blood of anyone.

MUSLIMS AS MINORITY COMMUNITY IN INDIA

†389. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Leader of the House be pleased to state whether Government are in full agreement with the recent declaration in Parliament by the Secretary of State for India wherein a reference has again been made to the Mussalmans of India as a "Minority" Community?

(b) Will Government consider suggesting to the Secretary of State that the Mussalmans of India are *not* a minority?

The Honourable Sir Edward Benthall: (a) I have been unable to trace the statement of the Secretary of State to which the Honourable Member refers.

(b) Does not arise.

FALL IN PRICES OF WHEAT AND RICE IN MADRAS

‡390. ***Prof. N. G. Ranga:** Will the Secretary, Food Department be pleased to state:

(a) the ceiling and actual prices prevailing in different places for a maund of rice and wheat during 1945;

(b) the actual prices prevailing in January, 1946, for both rice and wheat;

(c) how Government account for the sudden fall in the prices of rice in the Madras Presidency in January, 1946; and

†Answer to this question laid on the table, the questioner being absent.
‡Answer to this question laid on the table, the questioner having exhausted his quota.

(d) whether Government propose to assure peasants that they need not be afraid of any drastic fall in the prices of wheat and rice, in order to prevent merchants from unduly depressing the price levels, taking advantage of the Burma rice imports?

Mr. B. R. Sen: (a) and (b). Four statements are laid on the table of the House.

(c) There was no sudden fall in rice prices in the Madras Presidency in January, 1946.

(d) The Central Government have already notified their willingness to purchase all wheat of fair average quality offered for sale in the main assembling markets of the Punjab, U P. and Sind at a price of Rs. 7-8-0 per maund should prices fall.

Although no guaranteed minimum price for rice has been announced, the rice cultivator is fully assured of a market in the country and is also protected by the general guarantee given by the Government of India in connection with the "Grow More Food Campaign" that they will enter and support the market should foodgrain prices fall unduly.

Statement a (I) showing wholesale statutory maximum and market prices in producing centres for Wheat in provinces in

Region	Province	Producing Centres	Statutory maximum price	January	February
			Rs. a. p.	Rs. a. p.	Rs. a. p.
N. W. Region	Punjab	Lyallpur	9 10 0	9 10 0	9 9 0
		Okara	9 8 0	9 6 0	9 7
	N. W. F. P.	Bannu	9 10 0	9 14 0	9 14 0
		Mardan	9 10 0	9 10 0	9 10 0
	Sind	Nawabshah	9 8 0 upto 21st June 8 10 0 from 21-6-45.	8 0 0	8 0 0
		Mirpurkhas	9 8 0 Upto to 21-6-45 8 10 0 from 21-6-45.	7 10 0	8 8 0
U. P. Region	U. P.	Muzaffarnagar	10 12 0	9 12 0	9 12 0
		Sitapur	10 4 0	9 12 0	9 12 0
		Bahraich	10 4 0	9 12 0	10 12 0
	Ajmer-Merwara	Kekri	7 13 6 (red)	7 9 11	7 9 11
	Bihar	Muzaffarpur	11 0 0 (red) 12 0 0 (white)	11 8 0	11 8 0
		Monghyr	Do.	9 0 0	12 8 0
		Buxar	Do.	11 0 0 (white)	14 0 0 (white)
Bombay Region	Bombay*	Dharwar	12 0 0 upto March 11 0 0 from March	11 15 11	11 15 11
		Nasik	12 0 0 upto March 10 8 0 from March	12 0 0	12 0 0
		Ahmedabad	12 0 0 (Controlled purchase price).	12 0 0	12 0 0
	C. P.	Saugor	11 0 0	9 2 3	10 4 0
		Khurai	10 8 0 from April 1945	11 4 0 (M)	9 13 0 (C) 11 13 0 (M)
		Harda	(ceiling price).	12 6 0 (M)	12 6 0 (M)

*Purchase prices fixed by District Magistrate have been adopted as there are no free market rates due to monopoly purchase system.

India as prevailed at the end of each month in 1945

(In rupees per maund)

Market Prices during 1945											
March	April	May	June	July	August	Sept	Oct	Nov	Dec		
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.		
9 10 0	9 10 0	8 6 0	8 10 0	9 0 6	8 10 0	8 11 0	9 7 0	9 6 0	9 10 0		
9 8 0	9 8 0	8 8 0	8 8 0	8 14 0	8 4 0	8 8 0	8 12 0	9 4 0	9 8 0		
9 14 0	9 14 0	9 10 0	9 10 0	9 8 0	9 8 0	9 8 0	9 6 0	9 6 0	9 6 0		
9 10 0	9 10 0	9 10 0	9 6 0	9 10 0	9 10 0	9 0 0	8 8 0	8 8 0	8 12 0		
8 12 0	10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0		
9 0 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0		
10 1 6	10 4 0	10 4 0	10 7 0	10 5 0	10 4 0	10 4 0	10 4 0	10 4 0	10 4 0		
9 12 0	10 10 8	10 4 0	10 4 0	10 4 0	10 2 7	10 10 8	10 0 0	10 10 8	10 13 7		
11 8 0	10 4 0	10 4 0	10 5 3	10 5 2	10 4 0	10 4 0	10 3 0	10 3 0	10 2 0		
7 12 11	7 15 2	7 13 7	7 13 7	7 13 7	9 12 4	7 13 7	7 13 7	8 15 2	8 15 2		
11 8 0	11 8 0	11 8 0	11 8 0	11 8 0	11 8 0	11 8 0	11 8 0	11 8 0	11 8 0		
12 8 0	12 0 0	11 4 0	11 8 0	11 8 0	11 8 0	11 8 0	11 8 0	11 8 0	11 8 0		
12 8 0 (white)	10 0 0	10 4 0	10 4 0	10 14 0 (white)	10 14 0 (white)	12 8 0 (white)	11 10 0 (white)	11 10 0 (white)	11 10 0 (white)		
10 15 9	5 14 0 to 10 15 9†	5 14 0 to 10 15 9†	5 14 0 to 10 15 9†	5 14 0 to 10 15 9†	5 14 0 to 10 15 9†	5 14 0 to 10 15 9†	5 14 0 to 10 15 9†	5 14 0 to 10 15 9†	5 14 0 to 10 15 9†		
12 0 0	9 11 10	9 11 10	9 11 10	9 11 10	9 11 10	9 11 10	9 11 10	9 11 10	9 11 10		
12 0 0	12 0 0	12 0 0	12 0 0	12 0 0	12 0 0	12 0 0	12 0 0	12 0 0	12 0 0		
1 6 6	10 4 0	7 0 0 to 11 0 0	...	...	...	...	...	...	...		
10 1 0 (M)	10 4 0 (C) 10 6 0 (M)	10 7 0 (M)	10 7 0 (M)	...	...	...	...	10 6 0 (M)	10 8 0 (M)		
10 4 0 (M)	10 4 0 (M)	10 6 0 (M)	9 6 0 (M)	10 8 0 (M)	10 8 0 (M)	10 4 0 (M)	10 6 0 (M)	10 6 0 (M)	10 2 0 (M)		

†Purchase rates fixed by District Magistrate according to quality.
M—Medium.
C—Coarse.

Statement a (II) showing wholesale statutory maximum and market prices in producing centres for coarse rice in provinces

Region/Province	Producing Centres	Maximum statutory period	January, 1945	February, 1945
(1)	(2)	(3)	(4)	(5)
N. W. Region—		Rs. a. p.	Rs. a. p.	Rs. a. p.
Punjab	Qila Sheikhupura	13 8 0 upto 30-10-45 12 4 0 from 30-10-45	11 8 0	11 4 0
N. W. F. P.	Malakand	13 8 0 upto 29-10-45 12 4 0 from 29-10-45	13 8 0	13 8 0
Sind	Larkana	8 8 0 J upto 26-9-45 9 0 0 K 8 2 0 J from 26-9-45 8 12 0 K	J8 1 0 K8 9 0	8 1 0 8 9 0
U. P. Region.				
U. P.	Etawah Bahraich Saharanpur	13 8 0 upto Oct. 45 13 4 0 from Oct. 45	... 13 14 0 13 8 0	... 14 4 0 13 8 0
Eastern Region.				
Bengal	Hill	12 0 0 A 12 12 0 T	11 8 0 M	9 8 0 M
	Contai	Do.	10 0 0 (New)	9 4 0
	Bolpur	Do.	10 0 0	10 4 0
	Alipurduar	Do.	...	11 0 0
Bihar	Nokha	10 0 0 upto 15-1-45 9 0 0 from 15-1-45	9 4 0	10 12 0
	Kishanganj	Do.	8 12 0	8 8 0
	Jainagar	Do.	9 0 0	9 4 0
Orissa	Cuttack Balore Puri and Ganjam Dts.	Fine 9-12-0 Coarse 7-12-0 upto 31-12-45 Fine 8-14-0 from 1-1-46 Coarse 7-2-0	Same as maximum price.	
	Sambalpur	Fine 9-12-0 upto 31-12-45 Coarse 7-12-0 Fine 9-8-0 from 1-1-46 Coarse 7-12-0		
Assam	Gauhati	14-0-0 T (upto June 45) 13-8-0 T (upto Nov. 45 12-0-0 P from 1-12-45	13 8 0	15 8 0
	Tezpur	13-8-0 T upto June 45 13-0-0 T upto Nov. 45 11-10-0 P from 1-12-45	13 8 0	13 8 0
	Dibrugarh	14-8-0 T upto June 45 14-0-0 T upto Nov 45 12-6-0 P from 1-12-45	14 4 0	14 4 0
	Silchar	13-8-0 T upto June 45 13-0-0 T upto Nov. 45 11-10-0 P from 1-12-45	11 5 0	12 4 0
	Sylhet	13-8-0 T upto June 45 13-0-0 T upto Nov. 45 11-10-0 P from 1-12-45	...	...
Madras	Coconada	...	8 0 6	8 0 6
	Kumbakonam	5-1-0 Paddy II Sort. 8-9-0 Village site unbagged F. O. R. rice II sort.	8 5 5	8 5 5
	Beswada	5-2-6 paddy at village site unbagged 8-4-0 F. O. R. rice II sort.	8 1 9	8 1 9
Bombay—				
C. P. & Berar	Raipur	...	8 11 10	8 9 0
Bombay	Thana	8-0-0 Controlled purchase price of paddy.	9 15 2	9 15 2
	Dharwar	7-8-0	10 11 8	10 11 8

(M)—Medium. (A)—Agriculturist's price. (T)—Trader's price

*—Purchase prices fixed by District Magistrates have been adopted as there are no free market rates.

(as India as furnished at the end of each month in 1945

(In rupees per maund).

Market Prices during 1945												
March, 1945 (6)	April, 1945 (7)	May, 1945 (8)	June, 1945 (9)	July, 1945 (10)	August, 1945 (11)	September, 1945 (12)	October, 1945 (13)	November, 1945 (14)	December, 1945 (15)			
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.			
12 0 0	12 0 0	11 7 0	11 8 0	11 12 0	11 0 0	11 2 0	11 4 0	11 13 0	12 4			
13 8 0	13 8 0	13 8 0	13 8 0	13 8 0	13 8 0	13 8 0	13 8 0	13 8 0	13 8 0			
8 1 0	8 8 0	8 8 0	8 8 0	8 8 0	8 8 0	8 8 0	8 0 0	8 2 0	8 2 0 (J)			
8 9 0	9 0 0	9 0 0	9 0 0	9 0 0	9 0 0	9 0 0	8 12 0	8 12 0	8 12 0			
15 0 0	15 0 0	15 0 0	15 0 0	15 0 0	15 0 0	15 0 0	15 0 0	15 0 0	15 0 0			
14 4 0	14 4 0	14 4 0	14 4 0	14 4 0	14 4 0	14 4 0	14 6 0	14 2 0	14 0 0			
13 8 0	13 8 0	13 8 0	13 8 0	13 8 0	13 8 0	...	13 8 0	13 4 0	13 4 0			
10 8 0 (M).	10 8 0 (M)	10 8 0 (M)	10 8 0 (M)	10 8 0 (M)	10 8 0 (M)	10 8 0 (M)	10 8 0 (M)	10 4 0 (M)	8 8 0 (M)			
9 14 0	10 8 0	11 12 0	11 12 0	11 12 0	11 0 0	9 12 0	12 0 0	10 0 0	9 12 0			
10 14 0	10 14 0	10 12 0	10 12 0	10 12 0	10 12 0	11 0 0	11 0 0	10 4 0	10 4 0			
11 0 0	11 12 0	11 12 0	10 8 0	11 4 0	11 8 0	12 12 0	12 8 0	12 4 0	12 8 0			
9 11 0	10 0 0	10 0 0	10 0 0	10 0 0	10 5 0	10 0 0	9 8 0	10 0 0	10 0 0			
9 0 0	9 0 0	9 8 0	9 8 0	...	10 12 0	11 4 0	11 0 0	11 0 0	11 2 0			
10 0 0	10 0 0	10 4 0	10 10 0	11 12 0	13 0 0	13 0 0	12 0 0	11 8 0	11 12 0			

same as maximum price.

12 12 0	12 8 0	12 8 0	12 8 0	12 8 0	12 8 0	12 0 0	11 8 0	11 8 0	11 8 0			
12 12 0	13 0 0	13 0 0	12 0 0	12 0 0	12 0 0	11 8 0	11 2 0	11 2 0	11 2 0			
14 0 0	13 8 0	13 8 0	13 4 0	13 4 0	13 4 0	12 12 0	11 15 0	11 15 0	11 10 0			
11 13 0	12 0 0	12 0 0	11 8 0	11 0 0	11 0 0	11 0 0	10 14 0	9 12 0	9 8 0			
11 4 0	11 0 0	10 8 0	12 0 0	11 12 0	12 4 0	11 12 0	12 4 0	12 0 0	12 8 0			
8 0 6	8 0 6	8 0 6	8 2 5	8 4 6	8 5 5	8 5 5	8 5 5	8 5 5	7 15 0			
8 5 5	8 5 5	8 5 5	8 5 5	8 5 5	8 5 5	8 5 5	8 5 5	8 5 5	8 5 0			
7 14 11	7 14 11	8 1 1	8 1 1	8 1 1	8 1 1	8 1 1	8 1 1	8 1 1	8 1 0			
8 13 6	9 4 8	8 9 8	8 11 8	8 10 4	8 11 0	8 13 0	8 13 0	8 13 0	8 12 8			
9 15 2	9 15 2	9 15 2	9 15 2	9 15 2	9 15 2	9 15 2	9 15 2	9 15 2	9 15 2			
10 11 8	10 11 8	10 11 8	10 11 8	10 11 8	10 11 8	10 11 8	10 11 8	10 11 8	10 11 8			

(P) = Producer's price.

to monopoly purchase system,

J = Jagirdar.

K = Khangai.

Statement B(i) showing wholesale market prices of Wheat in the Provinces in India in January 1946

(In rupees per maund)

Region	Province	Producing Centres	Week ending 1-1-46	Week ending 8-1-46	Week ending 15-1-46	Week ending 22-1-46	Week ending 29-1-46
N. W. Region	Punjab	Lyallpur	9 10 0	9 10 0	9 10 0	9 10 0	9 10 0
		Okara	9 8 0	9 8 0	9 8 0	9 8 0	9 8 0
	N. W. F. P.	Bannu	...	9 6 0	9 10 0	9 6 0	9 6 0
		Mardan	8 12 0	9 0 0	9 4 0	9 8 0	9 8 0
	Sind	Nawabshah	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0
		Mirpurkhas	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0
U. P. Region	U. P.	Muzaffarnagar	10 4 0	10 4 0	10 4 0	...	...
		Sitapur	10 11 8	11 0 7	11 0 7	11 0 7	11 0 7
		Bahraich	...	9 13 0	9 14 0	9 12 0	9 12 0
	Ajmer-Merwara	Kekri	8 15 2	8 15 2	8 15 2	8 15 2	8 15 2
	Bihar	Muzaffarpur	11 8 0 (Red)	11 8 0 (Red)	11 8 0 (Red)	11 8 0 (Red)	...
		Monghyr*	11 8 0 (Red)	11 8 0 (Red)	11 8 0 (Red)	11 8 0 (Red)	...
		Buxar	11 10 0 (White) on 2/1/46	11 10 0 (White) on 9/1/46	11 10 0 (White) on 10/1/46	11 10 0 (White) on 23/1/46	...
Bombay Region	Bombay†	Dharwar	5 14 0 to 10 15 9‡	5 14 0 to 10 15 9‡	5 14 0 to 10 15 9‡	5 14 0 to 10 15 9‡	5 14 0 to 10 15 9‡
		Nasik	9 11 10	9 11 10	9 11 10	9 11 10	9 11 10
		Ahmedabad	12 0 0	12 0 0	12 0 0	12 0 0	12 0 0
	C. P. & Berar	Saugor	...	...	...	...	...
		Khurai	...	...	...	...	10 6 0(M) 26-1-46
		Harda	9 14 0(M) on 5/1/46	...	10 8 0(M on 19/1/46)	...	...

* = Controlled Rate.
† = Purchase prices fixed by Distt. Magistrate have been adopted, as there is no free market rate due to monopoly purchase system.
(‡) = Purchase rates fixed by Distt. Magistrate, according to quality.
(M) = Medium.

wholesale market price for Coarse Rice in the Provinces in India in January 1945

Province	Producing Centres	Week ending 1-1-46	Week ending 8-1-46	Week ending 15-1-46	Week ending 22-1-46	Week ending 29-1-46
N. W. Region—						
Punjab	Qila Sheikhupura.	12 4 0	11 8 0	12 0 0	11 12 0	12 4 0
N. W. F. P.	Malakand	13 8 0	13 8 0	13 8 0	13 8 0	13 8 0
Sind	Larkana	8 12 0 (kangni) 8 2 0 (Joshi) (on 2-1-46)	8 12 0 (kangni) 8 2 0 (Joshi)	8 12 0 (kangni) 8 2 0 (Joshi)	8 12 0 (kangni) 8 2 0 (Joshi)	8 12 0 (kangni) 8 2 0 (Joshi)
U. P. Region—						
U. P.	Etawah	15 0 0	15 0 0	15 0 0	15 0 0	15 0 0
	Bahraich	...	12 12 0	12 13 0	13 6 0	13 0 0
	Saharanpur	13 4 0	13 4 0	13 4 0	13 4 0	13 4 0
E. Region—						
Bengal	Hili	8 8 0(M) (on 2-1-46)	8 8 0(M)	8 8 0(M) (on 16-1-46)	8 0(M	10 0 0(M
	Contai	9 12 0	9 4 0	9 4 0 on 16-1-46	9 8 0	9 8 0
	Bolpur	10 4 0 (on 5-1-46)	10 4 0 (on 12-1-46)	...	...	...
	Alipurduar	10 4 0 (on 2-1-46)	10 0 0	9 8 0 (new) (on 16-1-46)	10 0 0	10 0 0
Bihar	Nokha	10 0 0(M)	10 8 0(M)	10 8 0(M)	10 8 0(M)	10 8 0(M)
	Kishanganj	11 0 0 (on 2-1-46)	11 4 0	10 8 0	10 12 0	10 4 0
	Jainagar	11 8 0 (on 2-1-46)	11 12 0	11 12 0	11 12 0	11 12 0
Orissa	Cuttack*	9 0 0 (ex-godown)	9 0 0 (ex-godown)	9 0 0 (ex-godown)	9 0 0 (ex-godown)	9 0 0 (ex-godown)
	Balaspore	not available				
	Sambalpur	not available				
Assam	Gauhati	11 8 0	11 8 0	11 8 0	11 8 0	11 8 0
	Tezpur	11 2 0	11 2 0	11 2 0	11 2 0	11 2 0
	Dibrugarh	11 10 0	11 10 0	11 10 0	11 10 0	11 10 0
	Silchar	9 8 0	9 8 0	9 12 0	9 8 0	9 8 0
	Sylhet	12 8 0	12 8 0	9 10 0	9 4 0	9 4 0
Madras—						
Madras	Cocanada	7 15 4	7 15 4	7 15 4	7 15 4	7 15 4
	Kumbakonam.	8 5 5	8 5 5	8 5 5	8 5 5	8 5 5
	Beswada	N.A.	N.A.	8 1 1 (12-1-46)	...	8 1 1 (26-1-46)
Bombay—						
C. P. & Berar	Raipur	8 8 5	8 18 0	8 18 0	8 18 0	...
Bombay†	Thana	9 15 2	9 15 2	9 15 2	9 15 2	9 15 2
	Dharwar	10 11 8	10 11 8	10 11 8	10 11 8	10 11 8

* Producers price has been revised since 1st January, 1946 Rs. 7-2-0 except Sambalpur.

† Purchase prices fixed by District Magistrate have been adopted as there is no free market rate due to monopoly purchase system.

(M)—Medium N.A. = Not available.

INDIA'S QUOTA OF REPARATIONS FROM GERMANY

†391. *Mr. K. C. Neogy: (a) Has the attention of the Honourable the Commerce Member been drawn to a report from Paris published in the *London Times*, dated the 22nd December, 1945, on the basis of distribution of German reparation assets, giving a list of quotas allotted to different countries, in which the quota for India (being 2 per cent. of category 'A' and 2·9 per cent. of category 'B') is indicated as "subject to confirmation"?

(b) Will the Honourable Member please explain what is meant by this condition "subject to confirmation", which does not apply to any other country mentioned in the list except Egypt? When is this confirmation going to be made, by whom, and under what procedure?

(c) Has the Honourable Member any idea as regards the industrial equipment and other capital equipment, together with merchant vessels, which may be available to India under category 'B' of reparations? Who will actually determine the selection of such equipment for India, and when will details thereof be available in this country?

(d) When are the above equipments under category 'B' of the scheme likely to be available to India, and have Government decided upon any scheme for the disposal of the aforesaid equipments when received, or can the Honourable Member generally indicate the lines on which a scheme for such disposal may proceed?

The Honourable Dr. Sir M. Azizul Huque: (a) Yes.

(b) Government have no information as to why the Paris Correspondent of the *Times* used the expression "subject to confirmation" only in respect of India and Egypt. The Conference made recommendations to respective Governments which were subject to subsequent confirmation by all of them. Government of India's concurrence in the draft Agreement has since been communicated and the Agreement will now be signed on behalf of India by their Delegate.

(c) I lay on the table of the House 3 lists of capital equipment which have been received by the Government of India as available for advance deliveries of reparations. Further lists are expected to be received when the Control Council in Berlin has decided what further equipment should be made available. The allocation of equipment to India, as to other countries entitled to a share, will be made by the Reparations Agency which has been set up in Brussels. India is represented on this Agency and has the same rights as all other countries. In the case of a dispute between two claimant countries, the matter is initially decided by the Agency, but if the decision of the Agency is not acceptable to any claimant, it is subsequently decided by arbitration. There does not appear any chance of ships being available to India as the allocation of merchant shipping is to be in proportion to shipping losses.

(d) No information is yet available as to when category 'B' items are likely to be available to India though, as stated above, 3 advance lists have been received and Indian demands for items in those lists have been made. The question as to how equipment, when received, should be disposed of, is under consideration.

APPENDIX II

(1)

List of plants available from Germany as first instalment of advance deliveries

1. The synthetic dye plant 'I G. Farben Industries", in the city of Ludwigshaven (½ available only).
2. Soda ash plant "Mathes and Weber" at Duisburg.
3. Ball-bearing plant "Kugel Fischer Werkie" (F. K) at Schweinfurt.
4. Lathe manufacturing plant. Waldrich in JHC City of Siegen.
5. Lathe manufacturing plant "Schiss-Defris" at Dusseldorf.
6. Lathe manufacturing plant "Wagner" at Dortmund.
7. Shipbuilding plant "Blohm and Voss" at Hamburg (excepting graving dock and Cranage used in connection with this dock).

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†Answer to this question laid on the table, the questioner being absent.

8. Shipbuilding plant "Bremen Deshmag Wesser" at Bremen (after approximately sixty days).

9. Metallurgic plant "Hutten Werke Essen Borbeck Friedrich Krupp 'G' " at Borbeck.

10. Metallurgic plant "Band isenwalzwerk" at Dinslaken. „

"Reinische chamoth Dinaswerke".

11. Fireproofing plant, on "Rhine", in the city of Bendorf on Rhine.

12. Plant for manufacture of revolving drills, "Hauwell-LEI" at Dusseldorf.

13. Oil refinery equipment plant Karl Ganzler at Duren, Gross-Apparate BAU, Essen.

14. Underground power plant of Gross-Draftwerk Mannheim AG at Mannheim.

15. Klockner Humboldt Dietz, Obraersel. Diesel engine plant.

There is another plant belonging to the same company, on which investigations are still proceeding.

16. Fritz Muller, Esslingen. Machine Tool Plant. Produces drop hammers hydraulic ——————and dye casting machines

17. Bohne Kohle, Esslingen. Machine tool plant. Produces horizontal boring machines, shapers and core moulding machines

18. Hahn Kolb, Stuttgart. 80 per cent. destroyed.

19. Hensolt, Herborn, Hessen-Nassau. Optical and mechanical instrument plant.

20. Geudorf, 60 miles east of Munich. Private power plant 69.000 kw capacity.

21. Hastedt, Bremen. Steam electric power plant. 92,300 kw capacity. Some damage.

22 Toging, NR Muhldorf. Hydro electric power plant 42.000 kw direct current generating capacity.

23. Aircraft engine plant of WMW rpt BMW (?) (Plant No 2) (Bayerischemlde Moteurwerk at Munich), subject to temporary withholding in XMRT. (?), for seventh Army use.

24. Kukurbelwellenwerke, Glinde, NR. Hamburg. Plant for the manufacture of crankshafts for aircraft tank and U boat engines comprising forge, heat treatment and machine shop.

25. Metal werke, Neuengamme, NR. Hamburg. Plant for small arms factory. Approximately 500 modern machine tools

26. Hanseatische Kettenwerfe Hamburg. Plant for the manufacture of cartridge cases. (Approx 30 mm.) and small fuses Machinery comprises drawing presses, annealing—— heading machines for the production of steel cartridge cases and a number of automatic lathes for machining small fuse components.

27. Fabrick Hess Lichenau, Furstenhagen, Explosives Plant Machine equipment reported in good condition.

28. The motorcycle plant, Bayerische Moteurwerke (BMW plant No 1 at Munich), the "Krupp" plant in the city of Essen (Subject to certain locomotive capacity still required for the maintenance of essential transport), and the underground aircraft and truck engine parts plants at Neckarelz, near Heidelberg, which are also available, have been offered to the Soviet Union by the Control Council for immediate delivery. The offer of 3 factories has been accepted by the Soviet Union in principle.

1. Kabul Fischer George Schaefer and Company located at Schweinfurt A/Main and dispersals at Cannstadt and Erkner Principal products: Ball and roller bearings and parts thereof. Other information: Approximately 2.500 machines, representing about 70 per cent. of total are ready for production Most are special types peculiar to the industry. Research laboratory and testing rooms are part of the equipment.

2. Deschimag Werke A.G. Weser-Bremen located at Bremen with shipyard at Weser. Principal products: General shipbuilding and repairing, destroyers and submarines. Other information: Suitable for construction of merchant ship Cargo vessels up to 10,000 tons, tankers up to 16,000 tons, freighters and transports up to 25.000 tons. Nine stern launching ways, 1-1,000 (?) feet long, one side launching way, 150-ton floating crane and a floating dock. Damage mostly confined to buildings and service facilities. Slips, cranes and machine shop equipment relatively undamaged

3. Bayerische Motoren werke (BMW) A. G plant No. 1 located at Munich, Oberwisesenfeld. Principal products: Motorcycles and aircraft engines in 1938. In 1943 to 1945 aircraft engines only. Other information: 40 per cent. of buildings and 15 per cent. of machinery damaged Total of 923 machines and equipment in the Munich Plant with an additional 1,800 to 2,000 located at dispersal plants.

4. Gross-Kraftwerk Mannheim AG (Mannheim underground steam electric generating plant located at Mannheim). Principal products: Generation of electric power. Other information: Equipment and buildings are in good condition and plant can be operated. One Steamturbe generator of 30,000 kw with a single boiler of 240,000 lbs. of steam per hour capacity. The furnace is fired with pulverized hard coal received at plant from river barges. Plant built in 1940 in an underground cell 100 feet in diameter and 75 feet deep.

5. Anorgana, G.M.B.H. (Gendorf steam electric power plant) located 60 miles east of Munich. Principal products: Production of electric power for a chlorine plant. Other

information: All equipment in operating condition. Total installed generating capacity of 69,000 kw made up of one turbine of 25,000 kw, non-condensing topping unit, 1,700 P.S.I. pressure, 912° Fahrenheit temperature, and two turbines of 23,000 Kw capacity. 314 P.S.I. pressure, 912° Fahrenheit temperature, operating condensing. Three Benson boilers with a peak rating of 500,000 lbs. of steam per hour at 170 P.S.I. pressure 939° Fahrenheit. Boiler feed pumps of chromium cast steel high pressure type, 13 stages. Built in the side of hills to prevent bombing.

6. Bremen Corporation, Hastedt Steam Plant located at Bremen. Principal products: Generation of electric power. Other information: Plant heavily bombed but 2 turbo generators and 4 boilers in operating condition with minor repairs necessary. Turbo generators are of 20,000 kw and 15,000 kw capacity, which operate at 515 P.S.I. steam pressure, 797° Fahrenheit temperature, and produce 3 phase 50 cycle power at 7,000 volts. Boilers are stoker fired using hard coal but may be converted to oil firing. There are two standby Diesel engines. Plant located in Suburb of Bremen and controlled from central operating point.

7. Innwerk Bayerische Aluminium A.G. (Toeging Hydro-Electric plant) located at Muhldorf, 50 miles east of Munich. Principal products: Generation of electric power. Other information: Plant built in 1924 to produce power for the aluminum plant. No damage to plant during the War and all equipment in operating condition. Eight horizontal shaft water wheel generators of 6,000 kw. each, one 50 mm. 385 volts D.C., operating under a head of 115 feet. Water delivered from canal to turbines through one penstock 13 feet in diameter and one 65 feet long for each. Turbines are not available.

8. Klockner-Humboldt-Dietz located at Oberusel, near Frankfurt A/M. Principal products: 2 and 6 cylinder diesel engines and parts. Other information: Buildings undamaged, slight damage to machinery. There are about 350 general purpose machines, testing department and chemical laboratory.

9. Fritz Muller, Pressen fabrik located at Oberasslingen. Principal products: Drawing presses, forging presses, oil mills machines, machine dye casting machines, presses for plastics and press wood hydraulic pumps, etc. Other information: Plant has no war damage and is ready for operation. 170 machine tools, 83 lathes of all types, 27 boring machines, 17 grinding and 16 drilling machines.

10 Uohner and Kohle machines fabrik(?) located at Esslingen/Neckar. Principal products: Lapping machines, milling machines, fine precision borers, planers, riding stick points, welding machines. Other information: No war damage and ready for immediate operation Total of 69 machine tools, including 21 lathes, 12 grinding machines and 11 drilling machines

11. Heyualet-werke fur Optik and Mechanik located at Herborn/Dillkreis, Hassen Nassau. Principal products: Optical items principally for war used binoculars, gun telescopes for tanks, gun telescopes, simple and submarine telescopes, and angular gun telescopes Other information: No bomb damage, equipment estimated to be 10 per cent damaged. Manufacturing space all one floor including tool and dye department, lens grinding department, assembly and inspection department Metal cleaning and plating department separate Total of 240 machine tools, all types.

12 Goldfish underground factory (diamerpenz) located in gypsum mine at Obrigheim, Mosbach Baden (Across river from Neckarelz) Principal product Aviation engines Other information: All equipment ready to operate, but deteriorating somewhat from rust. Approximately 2,000 machines

13 Bayerisch Motorenwerke (BMW) A G Plant No 2 located at Munich (Alach, principal products: Airplane engines Other information: Constructed 1937—1939. Buildings 3 per cent damaged 700 machines at Munich No 2 plant and 02700 (?) machines at dispersal plants.

14 Fabrick Hess Lichenau located Furstenhagen, Kurhesseh (near Kassel) Principal Principal products: Airplane engines Other information: Constructed 1937—1939. Build-Plant specially built for production and processing military high explosives. Three TNT production lines, 2 processing lines, 2 shell firing lines, *plus* accessory and subsidiary departments such as power plants, etc. Condition of buildings and equipment generally good.

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(2)

List of Factories available as Advance deliveries.

The industrial plants and equipment listed below have been declared available by the ACC for Germany as advance deliveries on reparation account in accordance with provisions of the Berlin Protocol. It has been agreed by the three Western Powers that only one official channel will be used to transmit the lists and your submissions to the Government to which you are accredited should be on behalf of the Governments of the United Kingdom, France and the United States Claimant nations are invited to indicate to the ACC their interest in obtaining plants and equipment on this list. Normally the time to be allowed claimant nations for this purpose will be only 21 days, but because of intervening holidays, it has been agreed that 28 days will be allowed in this instance. For the purpose of the commencement of the 28-day period it is agreed that this telegram shall be deemed to be dated 15th December 1945. Indications of interest on the part of claimant nations may be

transmitted through any channel appropriate for communication with the Control Council.

The list follows:

1. Serial No. 16. Deutsche Schiff-undmaschinenbau A.G.—located at Bremen-Valentin.

Principal products: U-Boats, trawlers, etc.

General description of plant and equipment—extra large concrete buildings, approximately 350' x 1,200' U-Boat Pens, The building is under construction and approximately 85 per cent. complete. It is slightly damaged from bombing, but equipment is in very good condition.

Quantities and types of *ltomins* and equipment:

20 shapers.
110 lathes.
6 milling machines.
10 grinders.
35 drills (vertical, radical and wall).

These items are "general purpose" tools and are in good operating condition.

2. Serial No. 17. C. F. Borgward—Torpedo Section of Automobile Plant located at Bremen.

Principal products: manufacturing torpedoes. Plant is a single story steel framework brick building. The building torpedo sect. is 50 per cent. destroyed. 90 per cent. of tools is in good condition, the other 10 per cent. is in repairable condition.

Quantities and types of machines and equipments:

Lathes 67.
Routing machines 11.
Boring machines 25.
Grinding machines 3.
Welding machines 6.
Thread cutting machines 5.
Planing machines 3.
Emery blocks 5.
Polishing machines 5
Miscellaneous 19.
Total 149.

3. Serial No. 18. Norddeutsche Huette Aktiengesellschaft—located at Bremen—Oflebhausen.

Principal products: Coke and by-products, cement, pig iron, Thomas steel ingots, ferro-vanadium. The plant is suitable for the production of the following material per month: 16,000 tons pig iron, 20.000 tons coke, 810 tons tar, 270 tons ammonium sulphate, 215 tons benzol, 9,200,000 M-Gas, 18,000 tons cement, 2 500 tons nickel iron, 17 tons ferro-vanadium. There is light bomb damage, but buildings and equipment are in fair physical condition.

Quantities and types of machines:

One 330 ton blast furnace.
Two 107 Thomas convertors.
Sixty Koppers coke ovens
By-product plant.
Cement plant.
Ferro-vanadium plant.
Boiler House.
Power House.
Water Pumping Equipment.

4 Serial No 19. The Hann Tessky Index Werke, located at Esslingen-Neckar.

Principal Product: Single spindle automatic screw machines Plant and equipment in very good condition with very slight damage. Machine tools and equipment, capable of producing other machine tools, some special equipment used for firm's particular line of automatic screw machine and spare parts

Plant had 3,000 employees. In 1944 11,400 000 RM (1,560 tons) produced. There are 424 machines available at present

Quantity and types of machines:

Engine lathes 86.
Turret lathes 28.
Automatic Screw machines 37.
Milling machines 72.
Upright drills 57.
Radio drilling machines 13.
Horizontal Boring Machines 13.
Jig Boring Machines Nil.
Thread cutting machines 10
Gear cutters 10.
Plane 1.
Shapers horizontal 14
Shapers, vertical 4.
Grooving machines 2.
Internal grinders 14.
Cylindrical grinders 18.
Surface grinders 7
Universal tool grinders 28.
Total 424.

5. Serial No. 1014. Nordeutsche Dornierwerke No. 2.
Factory—located at Luebeck.
This plant is approximately ten years old and was manufacturing aircraft parts. Present manufacturing has been devoted to the production of economy stoves, saucepans, and household utensils. During the war the plant employed 1,200. The machine tools consist of: air compressors, hand saws, bending rolls, filter benches, 200-foot conveyor, drilling machines, folding machines, shears, grinders. lathes, milling machines, sheet rolls, spot welders, riveting machines and presses.

6. Serial No. 1015. Nord Deutsche Dornierwerke No. 4.
Factory—Located at Rothebeck.
This plant was constructed in 1944 and was manufacturing aircraft frame parts. Present manufacturing has been devoted to the production to metal bed frames, aluminium drain corks and household utensils. The productive area was approximately 1,950 square meters and employed 85 workers. The machine tools consist of drills, lathes, shapers, grinders, welders, universal millers and salt and annealing vats.

7. Serial No. 1016. Arms Factory. Rinker—located at Minden. This plant was built during World War I with the exception of several modern additions. The plant comprises approximately 100,000 sq. ft. of floor space. This plant was engaged in the manufacture of 7·9 and 7·62 cm. shell cases, tank component parts, and a variety of small tools. The layout and equipment is modern. The equipment is largely for the manufacture of primers, using extensive presses. It includes a modern automatic siren machine shop, a foundry for die casting and heat treating.

8. Serial No. 1017. Metallwerke Wolfenbuettel GMBH—located at Wolfenbuettel near Brunswick. This plant consists of two buildings constructed in 1934. It was engaged in the production of 7·9 cm. small arms cartridge, small arms cartridge cases up until 1942 when it was changed over to the production of 7·62 cm. artillery shell cases. The output with an employed personnel of approximately 830 was 300.000 cases per month. The plant includes such machine tools as lathes, milling machines, shapers, planers, presses, saws, grinders, drills, three annealing furnaces, degreasing and pickling plant, thread mills, copper plating bath and conveyor system. The equipment is modern.

9 Serial No. 1040. Stuhlrohrfabrik Von Rudolk Sieverts—located at Hamburg Bergedorf. The equipment in this plant is declared available in part only. The machine tools available include: 8 special lathes for making shells, 4 hydraulic presses, 2 thread drilling machines and 5 other machines.

10. Serial No 1041. Nordeustche Dornierwerke No. 7 Factory—located at Sierksrade. The equipment in this plant is declared available in part only The machine tools include: 1 drawing rotary printer, 1 printing machine, 1 drilling machine, and 1 combined guillotine and forming machine.
Following six plants being destroyed because of their war potential. Only general purpose machinery available.

11. Serial No. 20. Fabrik Kaufburen—located near Kaufburen Constructed in 1941, but production did not start until 1943, for the production of single base smokeless powder. The plant produced approximately 280 metric tons of single base smokeless powder per month. The plant consisted of production line, a distillation plant for the rectification of the recovered solvent, and a power plant. The power plant has been destroyed, but the electrical generating equipment is undamaged Other general purpose items, such as electric motors, hot air blowers, ventilating fans, and a small quantity of machine tools are available.

12. Serial No. 21. Fabrick Aschau—located near Muehldorf. Built in 1940, especially for the wartime manufacture of nitrocellulose. The plant consists of four lines for nitration and purification of nitrocellulose and two lines for finishing, blending and packing of finished material. Steam and electric power were generated in two power plants. Waste acid was processed in two plants one for denitration and one for sulphuric acid concentration. Actual production was approximately 1.430 metric tons per month of 13 per cent. nitrocellulose (with a rated capacity of 1,760 metric tons per month). The nitrocellulose production lines consist of macerator, nitrators, wooden vats, autoclaves (pressure coolers) Hollander machines, stabilizers, blending and centrifugals.

13. Serial No. 22. Fabrik Ebenhausen—located near Nearnmgolstadt.
Constructed in 1938 for the production of nitrocellulose and single base smokeless powder. Plant consists of two lines for the production of nitrocellulose and one line for the manufacture of single base smokeless powder. Waste acid was processing 10 plants, one for denitration and one for concentration of sulphuric acid. 75 per cent. of the smokeless powder plant was destroyed by bombing. The nitrocellulose and power plant have been destroyed. Actual production of nitrocellulose was approximately 440 metric tons per month and 11 metric tons of single base smokeless powder, prior to bombing. The rated capacities were 1,100 and 165 metric tons respectively. The equipment in the nitrocellulose production line consists of macerator, wooden vats, autoclaves (pressure cookers) Hollanders, stabilizers, blending and centrifugals. Small quantity of machine tools is available, but no laboratory equipment.

14. Serial No. 23. Wehrmucht Ordnance plant—located at Strass. This plant was arranged for the filling and storage of ammunition from rifle ammunition to 24 inch mortar

shells. Due to damage, equipment remaining for reparation consists of 8 *budrus* lolar boilers—234,500 K. Cal/ST coal fired boiler 4 presses, one shaper, universal type No. 11 hd mill and lathe.

15. Serial No. 24. Geretsfried—Wolfratshausen—located at Wolfratshausen.

This plant was used for loading ammunition. Present equipment available for reparations. Geretsfried—N2N steam power plants, total capacity 5,000 kva. Wolfratshausen—2 steam plants, total capacity 7,500 kva. 4 diesel stand-by plants, total capacity 3,200 kva. No. general purpose equipment in usable condition in either plant.

16. Serial No. 25. Wehrmacht Ordnance Plant—located at Desnig.

This plant was for the shell casings and the filling of 7·5 and 10·5 CM artillery shells and the filling of cartridges and mortar shells. Present equipment available for reparations is one large machine with vats for degreasing and pickling of metal plants having an employed capacity of 200 workers.

17. Serial No. 2002. Werke Tscheldin—located at Tenningen.

Products: Aluminium foil, very thin, for packing and also for condensers, also foils glued on paper, in colors, lacquered, embossed. General description: Model factory NV/RVT in good condition covering 25,000 sq. meters.

Normal production capacity is 2034·9,5. Number of workers in normal times is 800.

Plant and equipment:

10 annealing and smelting furnaces, all electric.

7 large rolling mills.

50 (about) finishing rolling mills.

50 (about) finishing machines glueing, veneering, and embossing.

18. Serial No. 2003. Maschinenfabrik Fahr A.G. Tractor Shops—located at Gottmadingen Products: harvesting equipment and tractors. General description: factory was founded in 1870. It occupies an area of 8 hectares. No war damage. Equipment in good condition. Average age 7 years Normal quantity only tractor shops is available for reparations.

Plant and equipment:

18 lathes.

5 milling machines.

13 drilling machines

5 rectifiers.

6 presses

23 other machines

1 furnace

19. Serial No. 2004 Maschinenfabrik Lvebruder Kramer—located at Gottmadingen. Products: tractors. General description: small factory for mechanical equipment founded in 1918 and the property of the Kramer Brothers members of the Nazi parmfuk it has modern shops; buildings without great value There is small war damage.

Plant and equipment:

11 lathes.

6 rectifiers.

Milling machines.

5 drilling machines.

3 hydraulic presses

6 other machines.

20. Serial No. 2005 Mauser Company located at Oberndogf (Wurtenberg).

Products: portable arms, rifles and pistols *unyt*. General description: area taken up by the shops the offices and the stores is 103,000 sq. meters, by various sheds and living quarters 21,500 sq meters. The total surface of the shops including all floors is 86.700 sq. meters There is an area destroyed but in course of reconstruction of 7.000 sq. meters. Maximum number of workers is 10,770. Plant and equipment: approximately 4,680 machine tools including 220 wood working machines, 360 assorted machines, 102 motors, 1,800 milling machines, 517 lathes, 25 presses, 450 rectifier or polishing machines, 400 special machines gunbore rifling machines, checking machines and special shaping milling machines.

21. Serial No. 2007. I. G. Farben A G. located at Rheinfelden.

Products: Vinyl chloride. General description: shops in good condition. Production capacity is 225 tons per month at the present time. Only the vinyl chloride plant is available. Plant and equipment: 3 acetylene generators, each 200 cu. meters per hour capacity. Complete equipment for chlorination of vinyl chloride

22. Serial No. 2008. Degussa Company—located at Rheinfelden.

Products: peroxide of hydrogen. General description: factory includes different types of manufactures. Only hydrogen peroxide plants are available. Shops are in good condition. Normal production capacity is 150 to 160 tons per month.

Plant and equipment:

Electrolytic plant equipment including:

A. Electrolytic section equipment.

B. Distillation equipment, per-sulfuric acid.

C. Hydrogen peroxide section equipment.

D. Sulfuric acid distillation section equipment.

23. Serial No. 2009. R. Bosch—located at Sulz Wurtemberg.
Products: ignition parts. General description: branch of the Bosch stuttgart magnetos; occupies area of 3,200 sq. meters. Factory is divided into three shops distributed among the spinning mills F Sulz. It contains general mechanical equipment. Maximum personnel is 260 plant and equipment: 50 lathes, 17 polishers, 26 milling machines, 43 presses. 2 slotting machines or mortizers.

24. Serial No. 2013. Suddeutsche, Arguswerke—located at Baden-Baden. Products: Small screw-pieces, flexible pipe-fittings in duralumin for aircraft. General description: Set up in a cigarette factory. Old buildings. Total area is 4,600 sq. meters, including the offices. Maximum personnel is 48 and maximum production is 10,000 fittings per month. It contains 118 machines, of which 35 are in bad condition.
Plant and equipment:
16 lathes.
7 milling machines.
4 drilling machines.
6 automatic machines, Simon.
7 assorted automatic machines.
Assorted milwright workmachines.

Additional list of factories available as Advance Deliveries.

Following are remaining plants and equipment of second list declared available by the ACC for Germany as advance deliveries on reparations. In order to permit publication before December closing of Secretariat business of complete list of plants available at this time. Last 22 plants are listed by name only. With detailed descriptions to follow in later telegram. Official, serial number (in parenthesis) precedes name of each plant.
List follows:
(2006) Mauser Worke—located at Bohringen.
Products: Flame-throwers.
General Description: This factory was blown up. At present the premises are vacated, 70 machine-tools were transported to the main Mauser Plant at Obernoorf.
(2010) Suddeutsche Dornierworke—located at Friedrichshaven (Manzel) on edge of lake Constance.
Products: Airplanes and airplane parts, speed boats.
Description: Maximum personnel in 1944—4,700 labourers and 500 engineers. 90 per cent. of buildings destroyed by bombing usable machines being salvaged
(2011) Suddeutsche Dornier Worke—located at Konstanz.
Products: Airplane parts Dornier BO 215 or 355, wing assembly.
Description: Production capacity is 100 wing parts and 10 complete wings per month; with wartime personnel of 450 labourers. Factory was not bombed Equipment available consists of various machines, presses, and pneumatic hammers.
(2012) Obering O Stellmann—located at Manzel (Wurtemberg)
Products: Airplane parts.
Description: An Affiliate of Fornierwerke factory (Correction Affiliate of Dornierwerke Factory).
(2014) Arguswerke—located at Dusslingen (Wurtemberg)
Products: Bearings
Number of Workers: 200
(2015) Arguswerke—located at Brombach
Products: Metal armatures.
Maximum number of workers: 170
(2016) Arguswerke—located at Pfullendorf.
Products: Airplane brakes.
Number of workers: 809.
General Description: Arguswerke Group: Konzern Bjizt NWTD in making airplane engines, all sorts of accessories for aviation, and remote control engines. Registered offices of the factory were in Berlin. The concern comprised 14 factories scattered throughout Germany.
Deadline date for notification of interest in the above plants will be January 24, 1946.

Following are names of plants and equipment in British Zone, descriptions of which are not yet available. Deadline date for notification of interest by claimant nations will be set when descriptions are forwarded.

(1018) Factory A of **Wolf and Company, Bomlitz**, Hanover; (1019) Factory B of Wolf and Co., Doerverden; (1020) Factory C of Wolf and Co., Liebanau; (1021) Dynamit AG, Duneburg; (1022) Dynamit Ag, Jrummol; (1023) Warren Commissions Ag, Donnenberg Elbe; (124) Clausthal, Clausthal-Sollerfold; (1025) Heeres Munitions Anstalt, Ahrbergern; (1026) Hans Moog, Wuppertal-Ronsdorfv Kowul Slaswerk Riedel underground factory, Burgderd; (108) Sperrwaffeaharsonal, Soltan (1029) Heeres Munitions Anstlt, Lehre; (1030) Luftshaupt Munitions Anstalt, Hamuhren; (1032) Heeres Munitions Anstalt, Locksledten Lager; (1033) Heeres Munitions Anstalt, Bedenteich; (1034) Fulbaulageclauen, Clauen; (1035) Heeres Munitions Anstalt, Godenauber Alfeld; (1036) Lufthaupt Munitions Anstalt, Wienberg/Sesser; (1037) Heeres Munitions Anstalt, Schenen; (1038) I. G. Uerdingen, Uerdingen; (1039) Chemische Werke Harz-Weser, Langolsheim.

List of Plants available from Germany as Advance Deliveries on account of reparations

Number in parenthesis is serial number of plant.

(1018) Capacity 500 tons per week. Single base and double base propellants, Steam generation equipment: 4 Lamont boilers, other boilers. Electric power generation equipment: 11 Turbo-generators with total capacity of 20,000 kw. The plant contains:

Nitroglycerine and nitrocellulose plants.
Acid recovery and mixing plants.
Solvent recovery and rectification.
2 refrigeration plants.
53 Kneading machines (Baker Perkins type).
109 rolling mills.
15 autoclaves.
20 Hollanders
Incorporating Mills.
Hydraulic presses.

(1019) Capacity 50 tons per week Single base propellant. Steam generation equipment; 3 boilers. Electric power generation equipment: 3 Turbo-generators of 2599 kw. each. Cellulose preparation and nitration. Nitrocellulose dehydration, solvent recovery, and rectification. 16 hydraulic presses, 24 kneading machines, equipment for acid recovery and mixing.

(1020) Capacity: 280 tons per week of solventless double base propellant. Equipment: Steam generation—4 Lamont Boilers; Electric Power generation—6 turbo generators of 2500 kw each; Nitroglycerine—5 Meissner continuous plants; Equipment for Cellulose preparation and nitration; Nitrocellulose Hollanders and D. Autoclaves; Equipment for Acid recovery and mixing. 24 Baker Perkins type kneading machines; 94 rolling mills.

Note:—(1018), (1019) and (1020 are closely associated and were operated by Wolff and Company, Walsrode.

(1021 Capacity: 84 tons per week of solventless propellants, Receives ready mixed paste from Krummel Equipment: Steam generation—3 Lamont Boilers and 7 large turbular boilers; Electric power generation—6 turbo-generators of 2500 kw each and 1 turbo-generator of 500 kw. 18 Travelling cranes up to 12 tons; 92 Hydraulic presses and pump units to operate at 450 atmospheres; 226 large rolling mills; 43 mixing machines; electric motors—individual drives for all machines and machine tools as follows:

39 lathes
27 drilling machines
15 milling machines
8 shaping machines
5 welding sets

Miscellaneous small power driven tools and wood working machines

Note.—Dunesberg and Krummel are interlocked under Dynamit A.G

(1022) Capacity: 750 tons per week of T N T; 40 tons per week of P.E T.N.; 800 tons per week of double base propell JO paste; 1 000 tons per week of Amatol shell filling composition; 850 tons per week of total explosives—Shell bomb and Grenade filling, 140 tons per week of dynamite This plant produces a variet of plastics and plastic products including impregnated paper, for which certain machines in the Nitrocellulose plant are used. The plastic plant equipment is not at present offered for reparations as it is in current use for production of essential housing repairs materials Steam and Power generation—3 power stations with total capacity of 18,000 kw Automatic diesel sets with total capacity 1250 kw. Water supply—Water pumping stations 8; Gas supply generators 5; Compressed air—2,300 cubic meters per hour; Cranes—mobile crane on rails 7½ tons; Coal discharging plant—160 tons per hour. Dynamit plants—2; Nitrocellulose plants—2 with a combined capacity of 300 tons per week Includes the usual equipment for nitration, purification, pulping (Hollanders), autoclaving, centrifuting and dehydration—all on a big scale.

Nitroglycerine plants—with total capacity of 300 tons per week.

Double base paste mixing, in standard plant to produce paste which is sent to Duneberg

Shell and bomb filling composition—preparations of performed charges and other high explosives, mixtures for ammunition filling.

Bomb, shell and grenade filling—all ammunition filling plants contain a wide range of general equipment such as conveyors, hydraulic presses, degreasing machines, painting machines, etc.

Sulphuric acid—2 Tentelew contact plants with a combined capacity of 200 tons of SO_3 per week.

Acid Recovery—Concentration and mixing equipment on a large scale.

Nitrocellulose plants—2 with total capacity 300 tons per week.

Nitroglycerine plants—300 tons per week.

Double-base paste mixing—Standard plant for the production of paste which is sent to Duneberg.

(1023) Capacity; 300 tons per week of T.N.T.; 80 tons per week of Ammonal, 60 tons per week of Chloratit; 350,000 meters per week of safety fuse; 1 million per week—filling for grenades. Equipment: Steam generation—2 Lancashire boilers with total of 5 tons per hour; electric power generation—2 turbo-generators of 1250 kw. each and 3 diesel sets totaling 600 kw. 2 T. N. T. plants; 1 Ammonal and Chloratit plant; 1 safety fuze plant: Producer gas plant WA 5 tons coal per hour.

(1024) Capacity: 700 tons per week T. N. T. 80,000 per week—Shell, mine, bomb filling. Equipment: Steam generation—3 high pressure boilers—total 24 tons steam per hour and 3 medium pressure boilers—total 30 tons steam per hour; electric power generation—2 turbo-generators of 1300 kw. each and 1 diesel set of 250 kw. Other equipment: 7 rotary compressors with total output of 560 cubic meters per hour of compressed air. 4 gas supply generators with total of 80,000 cubic meters per day; 2 T N. T. producing plants, acid recovery and concentration plant; shell filling plant—ammonium nitrate drying and T.N.T. and picric acid melting and performing.

(1025) Capacity: Shell filling—75,000 per week on 1 Shift, grenade filling—225,000 per week on 1 shift. Plant is for TGMN. T. Melting, Amatol preparate and mixing. Contains presses, conveyors and painting machine and steam generation equipment.

(1026) This is a small factory, employing 120 people, for producing pyrotechnic filling of flares. Contains 2 hydraulic presses and 1 tabletting press.

(1027) Capacity: 300,000 per week of mortar bomb filling. Located in disused salt mine; employed 800 workers. Equipment: Steam generation plant presses; sewing machines and other equipment; characteristic of filling and assembly plants.

(1028) This plant was used for marine mine filling and employed 280 workers.

(1029) Plant employed 800 workers. Capacity: heavy shell filling—27,000 per week. Equipment: steam generation—12 boilers, electric power generation 2 diesel sets. Other equipment: 10 cleaning machines for shells and the usual equipment for filling, handling, fuzing and painting heavy shell.

(1030) Capacity: medium shell filling—150,000 per week. Equipment: no details available at present, but probably similar to that installed in No 1029

(1031) Employed 1,500 workers. Capacity not known. Contains steam generation plant with 2 central heating, plants, and electric power generator 1 diesel set.

(1032) Employed 1,500 workers. Capacity: 100,000 per week. small calibre fixed gun ammunition, filling and assembly. Equipment: Steam generation—4 Central Heating plants; electric power generaton—1 diesel set of 320 kw Other equipment: Metal degreasing pickling, washing in and plating for gases and chilling, the usual equipment for handling, filling, assembly and fuzing of complete rounds of small calibre gun ammunition

(1033) No information at present, small factory which employed 500 workers.

(1034) Employed 600 workers was used for heavy shell filling. Badly damaged No details available of remaining plant.

(1035) Capacity unknown. Plant used for ammunition filling generally Contains 1 boiler house with turbo-generator for 500 kw. and a wide range of general light engineering equipment such as presses, conveyors, painting machines, etc.

(1036) Capacity: Medium anti-aircraft shell filling—260,000 per week Equipment: Steam generation—2 boiler houses and 5 central heating plants; electric power generation—2 diesel sets totalling 350 kw, also power from Grid. Has the usual range of equipment for medium shell filling.

(1037) Capacity unknown Employed 1,500 workers. Was used to produce medium shell filling. Contains 6 central heating plants and the usual range of medium shell filling equipment such as degreasing, painting, hydraulic pressing and handling of shell.

(1038) Capacity: Electrolytic chlorine—200 tons per week *plus* the equivalent caustic soda liquor. This is a mercury cell plant designed for a capacity of 400 tons chlorine per week, only half of the equipment has been delivered.

(1039) Capacity: Activated carbon for gas masks—40 tons per week. Equipment: 4 turf mills, 4 kneading machines, 8 high pressure presses, 6 rotary furnaces, 2 cooling drums, 4 rotary driers, 2 producer gas generators.

DEPUTATION TO DISCUSS INDIAN OVERSEAS QUESTION WITH H. M. G.

392. *Seth Govind Das: (a) Will the Secretary for Commonwealth Relations be pleased to state if it is a fact that Mr. A. V. Pai, I.C.S., Joint Secretary, Commonwealth Relations Department and Controller General of Emigration had recently gone to England in a deputation to discuss Indian overseas question with His Majesty's Government?

(b) If the answer to (a) is in the affirmative, will the Honourable Member state the result of the mission and the total expenditure incurred on sending such a deputation?

(c) Did the deputation discuss with His Majesty's Government about the respective position of Indians in the Commonwealth specially in South and East Africa and the scheme of applying economic sanctions and Reciprocity Act and of calling back the Indian High Commissioner from South Africa, the steps which are under consideration by the Government of India as assured by the Honourable Member on the floor of this very House?

Mr. R. N. Banerjee: (a), (b) and (c). Mr. Pai accompanied the Honourable Sir Ramaswami Mudaliar to London to assist the latter in having unofficial discussions with His Majesty's Government on certain matters affecting Indians overseas. The expenditure which was incurred on Mr. Pai's visit was about Rs. 5,000. It will not be in public interest to make any further statement on this subject.

Seth Govind Das: Is it not a fact that a certain report was submitted by Mr. Pai to the Government of India in this respect?

Mr. R. N. Banerjee: I have no other reply to give.

Seth Govind Das: Will the Honourable Member be pleased to state how the question of public interests arises on a very simple question about the recommendations made by Mr. Pai to the Government of India?

Mr. R. N. Banerjee: I have no other reply to give, Sir.

TRADE AND EMIGRATION AGREEMENT WITH BURMA

393. ***Seth Govind Das:** (a) Will the Secretary for Commonwealth Relations please state if there is any agreement in force between the Government of India on the one hand and the Government of Burma on the other, as regards trade and emigration?

(b) If the answer to part (a) is in the affirmative when was this agreement entered into? Was it entered into with the consent of this House?

(c) Will the Honourable Member assure the House now that any new agreement with the Government of Burma will only be entered into with the previous consultation and consent of this House?

Mr. R. N. Banerjee: (a) No, Sir.

(b) Does not arise.

(c) The question will be considered at the appropriate time.

ALLOWANCES TO EVACUEES

394. ***Seth Govind Das:** (a) Will the Secretary for Commonwealth Relations please state the total amount of maintenance allowance granted up to now to the evacuees by the Government of India?

(b) Has the Government of India recovered this amount or does it at all propose to recover it from His Majesty's Government?

Mr. R. N. Banerjee: (a) and (b). The Government of India have accepted financial liability only for Indian evacuees. The exact figures of expenditure on the grant of maintenance allowances to Indian evacuees are not available separately but the total expenditure of which the bulk is on maintenance, is estimated to be Rs. 10¼ crores by the end of the financial year 1945-46. As regards liability for non-Indian evacuees, I lay on the table of the House a statement showing the Governments and the classes of non-Indian evacuees for whom they are financially responsible. The figures of expenditure on non-Indian evacuees are not readily available.

Statement showing the Governments and the classes of non-Indian evacuees for whom they are financially responsible

Government to which cost is debitable	Classes of evacuees in respect of whom expenditure is debitable to the Government specified in column (1)
1	2
I. Government of Burma . . .	(a) All Burmans, Anglo-Burmans, Anglo-Indians, European British subjects and all other evacuees who are British subjects other than Indians evacuated from Burma to India.
	(b) All Burma Government servants irrespective of their nationality whose services have not been terminated by that Government.
II. His Majesty's Government :	
(i) Colonial office . . .	European British evacuees and other evacuees of non-Indian domicile who are British subjects from Hong-Kong and Malaya.
(ii) Foreign Office . . .	(a) All British subjects not covered by (I) above.
	(b) Evacuees from Middle East, the Balkans, Malta and Siam.
	(c) Greek and Czech evacuees irrespective of the country from which they may have been evacuated to India provided that they belong to parties whose evacuation to India has been sponsored by their own Governments.
III. Polish Government. (Underwritten by HMG at present)	Poles.
IV. Royal Netherlands Government .	Subjects of the Netherlands East Indies.

N.B.—The expenditure on evacuees of other allied or neutral foreign States is recovered through the Consuls of the countries concerned.

Prof. N. G. Ranga: May I know if Government have come to any decision on the question of extending the payment of maintenance and other allowances to Indian evacuees beyond the last budget year?

Mr. R. N. Banerjee: The system is in force for some months. No decision has been taken about its extension in the future.

Prof. N. G. Ranga: In view of the fact that new budget is going to be presented, have Government considered the advisability of making any provision for continuing these allowances beyond March of this year?

Mr. R. N. Banerjee: The matter is still under consideration.

Seth Govind Das: How much money of this expenditure is going to be borne by His Majesty's Government? The Honourable Member has not replied part (b) of my question.

Mr. R. N. Banerjee: I think I have replied to clause (b). If you will permit me, Sir, I shall repeat what I have said:

"As regards liability for non-Indian evacuees, I lay on the table of the House a statement showing the Governments and the classes of non-Indian evacuees for whom they are financially responsible. The figures of expenditure on non-Indian evacuees are not readily available."

As regards Indian evacuees the Government have accepted financial liability for the entire expenditure.

Shri Mohan Lal Saksena: Do I understand the Honourable Member correctly when I say that the Government of India will not be responsible for the maintenance allowance given to non-Indian evacuees?

Mr. R. N. Banerjee: The Honourable Member's presumption is correct.

Shri Mohan Lal Saksena: If so, may I ask whether the amount spent annually on these non-Indian evacuees is calcualted every year?

Mr. R. N. Banerjee: They are calculated from year to year and advances also are made from Indian revenues and they are recovered later on from the governments concerned.

Shri Mohan Lal Saksena: Then why should not the figures be available?

Mr. R. N. Banerjee: I said that they were not readily available.

Mr. President: The Honourable Member perhaps wants the total of the advances made.

EMPLOYMENT AND REPATRIATION OF EVACUEES.

395. *Seth Govind Das: (a) Will the Secretary for Commonwealth Relations please state what arrangements the Government of India have made or propose to make for the employment of evacuees other than Government servants?

(b) Is there any plan for sending these evacuees back to their respective countries? If so, what facilities do Government propose to give to these persons as regards their travelling, routes and priority?

Mr. R. N. Banerjee: (a) Since November 1948, a Central Refugee Employment Bureau has existed and has been functioning through Central Refugee Officers in the four zones of India—East, West, North and South. These Refugee Officers maintain registers of candidates, interview all major employers and keep in constant touch with Provincial Governments and recruiting officers of the Army. Provincial Governments and the departments of the Government of India communicate their requirements and efforts are then made to secure suitable candidates.

(b) So far as repatriation of Indian evacuees to Burma is concerned, the attention of the Honourable Member is invited to my reply to part (e) of starred question No. 266, given on the 14th February 1946.

As regards repatriation to countries in the Far East other than Burma, the attention of the Honourable Member is invited to the recent notification issued by this Department, a copy of which is placed on the table of the House.

In regard to the repatriation of European evacuees to western countries, the matter is at present under the consideration of His Majesty's Government.

NOTIFICATION.

PASSAGES FROM INDIA TO THE FAR EAST AND BURMA FOR CIVILIAN PERSONNEL

In order to meet the urgent desire of evacuees now in India to return to their homes, of others to rejoin families and of businessmen to proceed to Far Eastern countries, it is necessary, till such time as shipping conditions return to normal, that all passages to the Far East should be controlled by the Government of India.

2. To this end, a bid for shipping has been made by the Government of India to ALFSEA, and it is hoped that, very shortly, a certain number of ships will be made available.

3. In the meantime, in order to bring all intending passengers on to one central list, persons wishing to proceed to the Far East should, if they have not already done so, make application as shown in detail below :—

(a) *Evacuees from Far Eastern British possessions* (*Maldive, Hong Kong, etc.*).—Such evacuees, if they have not already done so, should register themselves for repatriation with C. D. Ahearne, Esq., C.M.G., Malayan Representative's Office, Menkwa Building, Outram Road, Bombay.

(b) *Evacuees from Far Eastern Countries OTHER THAN BRITISH possessions.*—Applications should be made to the Secretary to the Government of India, External Affairs Department, New Delhi.

(c) *Persons OTHER THAN evacuees wishing to proceed to British possessions in the Far East for business or other valid reasons.*—Applications by such persons should be made to the Controller of Priority Passages for the Far East, Government of India, Commonwealth Relations Department, New Delhi.

(d) *Persons OTHER THAN evacuees desiring to proceed to non-British possessions in the Far East.*—Such persons should apply to the Secretary to the Government of India, External Affairs Department, New Delhi.

(e) *Evacuees from Burma.*—Registration of evacuees wishing to return to Burma is now proceeding, and registered persons will, in due course, be called up when shipping and other conditions permit.

(f) *Persons OTHER THAN evacuees wishing to proceed to Burma.*—Such persons should apply in the first instance to the Secretary to the Government of India, Commonwealth Relations Department (Burma Repatriation Section), New Delhi.

(g) *Released Civilian Internees from the Far East desirous of returning to countries in the Far East, whether British possessions or not.*—Released civilian internees who are not resident in the Malayan Transit Camp, Bombay, should make immediate application to the Controller of Priority Passages for the Far East, Government of India, Commonwealth Relations Department, New Delhi.

Seth Yusuf Abdoola Haroon: May I know from the Honourable Member as to how many evacuees have been employed by the Provincial Governments since the Department has been opened?

Mr. R. N. Banerjee: I have not got separate figures for the number employed by Provincial Governments but up to November 1945, the number of evacuees for whom employment could be secured was 45,861.

Seth Yusuf Abdoola Haroon: Will the Honourable Member lay on the table a statement telling the House as to how many persons were employed permanently and to how many temporary jobs were provided?

Mr. R. N. Banerjee: I am afraid that is a tall order and I would want notice.

Mr. Manu Subedar: Has the Honourable Member seen criticisms in the public press that European evacuees and refugees who came to this country were found fat jobs for which suitable Indians were available?

Mr. R. N. Banerjee: I have read complaints in the press, Sir, but no specific case was brought to my notice during the last two years.

Mr. Manu Subedar: In view of the serious problem of rehabilitation which Dr. Ambedkar is tackling, will the Honourable Member state whether the non-Indian evacuees and refugees who might have been employed by the Government of India will now be sent away?

Mr. R. N. Banerjee: I am afraid I must want notice of that question; I do not think our Department deals with that.

Seth Govind Das: Will the Honourable Member state how many non-Indian evacuees have been supplied with jobs out of the 45 thousand? Will the Honourable Member lay a statement on the table?

Mr. R. N. Banerjee: I must have notice of that question.

Shri Mohan Lal Saksena: The Honourable Member's reply was that he was aware that certain complaints have appeared in the press but that no definite complaints have been brought to his notice. Am I to understand that the Honourable Member does not take notice of the complaints that appeared in the press?

Mr. R. N. Banerjee: Our Department does take notice of complaints made in the press.

Shri Mohan Lal Saksena: Is no inquiry made on the complaints made in the press?

Mr. R. N. Banerjee: The complaints were of a vague and general nature.

Restrictions on Entry of Indians in East Africa

396. *Seth Govind Das: (a) Will the Secretary for Commonwealth Relations please state if it is a fact that certain restrictions were placed on the grant of

passport facilities for Indians, for entry into the East African territories during the war? If so, were these restrictions only temporary and applied only for the duration of the war?

(b) Have these restrictions now been withdrawn after the war is over? If not, when are these restrictions likely to be withdrawn? Do the Government of India now propose to consider the immediate withdrawal of these restrictions?

Mr. R. N. Banerjee: (a) Yes. The restrictions were temporary and intended to meet the difficulties created by the war.

(b) The restrictions have not yet been withdrawn, but are expected to be withdrawn some time this year The Government of India have already pressed for their withdrawal.

Seth Govind Das: Is it not a fact that in 1945 when the discussion of this question took place in this House the Honourable Dr. Khare made a promise that those restrictions will be removed and that they will automatically lapse within two or three months?

Mr. R. N. Banerjee: I cannot recall any such statement having been made by the Honourable Dr. Khare. All that he said, so far as I recall, was that we were making every endeavour to have these restrictions withdrawn as soon as possible; and that we have done.

Seth Govind Das: Is it not a fact that in 1945 those restrictions were applied only for a year and they were automatically to lapse, when this discussion took place in the House, within two or three months?

Mr. R. N. Banerjee: On further examination it appeared that the statement was not quite accurate and the provisions under which the regulations were issued were not such as had to be renewed from year to year.

Seth Govind Das: By what date does the Government think these restrictions will be removed now?

Mr. R. N. Banerjee: By the middle of this year, Sir.

INDIAN STUDENTS FOR ADVANCED STUDY IN AMERICA AND EUROPE

397 ***Sri M. Ananthasayanam Ayyangar:** Will the Education Secretary please state:

(a) how many students applied for scholarships for advanced studies in America and Europe last year and how many were selected;

(b) how many of these were from the Madras Presidency and how many were selected from there;

(c) how many of those selected have already been sent abroad and how many are still waiting in India for want of passages;

(d) if it is a fact that students are not admitted into any of the important universities in America, and if any complaints in this respect have been received by Government;

(e) if Government's attention has also been drawn to reports in papers that students from India are suffering hardships owing to inadequate accommodation and owing to colour prejudice in the United States; and, if so, whether they have addressed the Agent of the Government of India there; and

(f) what steps, if any, have been taken so far to relieve the students of these hardships?

Dr. John Sargent: (a) 8,885 students applied for the scholarships awarded last year by the Central Government and 356 scholars were selected. 5,440 students applied for scholarships awarded by the Provincial Governments, and scholarships were awarded to 236 of them, excluding those in Government service who have been selected for further training abroad.

(b) No information is readily available as to how many candidates from the Madras Province applied for the Central Government scholarships. 49 out of the 356 scholars selected for Central Government scholarships appear to be domiciled in the province of Madras.

(c) Up to the end of last month, 237 scholars had gone abroad and 106 scholars have yet to go. That refers to the Central Government. With regard to the Provincial Governments I have now got the figures: 118 have sailed and 108 are waiting to go.

(d) No, Sir. We have received no complaints whatsoever in this respect, and reports received from the Indian Agent General in Washington indicate that our students in the United States of America have been mostly placed in the better known Universities.

(e) No, Sir. We are not aware of any hardships owing to colour prejudice. With regard to accommodation, reports received from the Agent General reveal that the position is everywhere difficult but that in all cases so far it has been possible to make reasonably satisfactory arrangements for all Indian Students who have gone through the Agent General and there have been no serious complaints.

(f) Does not arise.

Lt.-Col. Dr. J. C. Chatterjee: With reference to part (a) of this question will the Honourable the Education Secretary state whether the applications from those students only who possessed a first-class degree were considered and that this was made a condition precedent to their selection?

Dr. John Sargent: No, Sir. That is not correct.

Lt.-Col. Dr. J. C. Chatterjee: Is it not a fact that it has been put down as one of the essential conditions in the advertisements asking for applications?

Dr. John Sargent: It has not been made an essential condition and the selection is by no means confined to first-class students.

Lt.-Col. Dr. J. C. Chatterjee: Is the Honourable the Education Secretary aware that there is a vast difference between the first-class degrees of different Universities in this country? There are certain Universities which are very liberal in the grant of first-class degrees. Other Universities like the one which my Honourable friend, the questioner is interested in, are very very careful in giving first-class degrees. Are such variations taken into account when making a selection for these scholarships?

Dr. John Sargent: My experience is that in all countries there are variations in standards between universities, and that applies to this country as well. The Committee obviously cannot go on what they may suspect, but they can go on actual information, and due consideration is given to that. Members who have seen the report of the Central Selection Board—and I am hoping that those members who have not seen it will receive copies very shortly—will notice that the Selection Board themselves last year have called attention to the fact that in the process of selection the point raised by my Honourable friend had already been brought to their attention namely that there were variations between universities. They thought that this was a matter which the Inter University Board themselves ought to look into before long, and that as a result of their experiences they would be able to submit certain material which the Inter University Board might find of use in that respect.

Lt.-Col. Dr. J. C. Chatterjee: Am I therefore to understand that my Honourable friend will be prepared or his committee will be prepared to consider applications from persons who have not obtained a first class degree?

Dr. John Sargent: Certainly.

Babu Ram Narayan Singh: What is the number of students selected by the Central Government from Bihar?

Dr. John Sargent: I should be delighted to supply that information to the Honourable Member: I cannot give it offhand.

Babu Ram Narayan Singh: The file is before the Honourable Member: He can very well supply the information now.

Mr. President: It will perhaps take time to get the required information and find out the figures; and other questions will be blocked.

RACIAL DISCRIMINATION ON BOARD *S S STRATHMORE*

398. *Sri M. Ananthasayanam Ayyangar: Will the Education Secretary please state:

(a) if his attention has been drawn to a Reuter's message in the *Hindustan Times* of the 2nd February, 1946, relating to racial discrimination against students and others on board the S. S. Strathmore which arrived in England on the 14th January, 1946, from India;

(b) whether he has received any complaints from any one in the matter;

(c) what action, if any, he proposes to take to avoid recurrence of such incidents in future;

(d) who are the authorities who were responsible for such treatment of students from this country; and

(e) whether he proposes to make a full statement on the matter after making the necessary inquiries?

Dr. John Sargent: This question should have been addressed to the War Secretary who has agreed to answer it in due course.

FOOD SUPPLIES FROM U N R R A

399. *Sri M. Ananthasayanam Ayyangar: Will the Food Secretary be pleased to state:

(a) whether any representations were made to the U.N.R.R.A. to send relief measures to India for relieving food shortage in India;

(b) whether any Indian is in the executive of the U.N.R.R.A. or on its establishment;

(c) if he has approached for help; if so, to what extent, and in what form it has been promised: if not, why not;

(d) whether any instructions were given by the Government of India to the Indian Delegation to the U.N.O. to press upon that organisation through its economic and financial council to send immediately food supplies to India; and

(e) in what form and from which quarter the Honourable Member expects to get supplies of foodgrains, and when?

Mr. B. R. Sen: (a) No.

(b) Yes.

(c) The answer to the first part is in the negative. The reason is that the U.N.R.R.A. can only obtain supplies through the existing war time supply and allocating machinery of the Combined Food Board which is already available to India.

(d) No.

(e) The Government of India indent upon the London Food Council and the Combined Food Board, Washington, for their import requirements. All necessary steps have been and are being taken to press India's need before the Combined Food Board.

Mr. Manu Subedar: Have Government seen the complaints in the British papers that U.N.R.R.A. could not supply or help at the time of the Bengal famine because the Government of India failed to make any demand for it?

Mr. B. R. Sen: I have seen such reports, but those reports must be based on a misunderstanding of the entire position.

Mr. Manu Subedar: Why was it difficult for this Government to decide when they were in want of food, to ask this international organisation for assistance?

Mr. B. R. Sen: The famine did not exist at that time.

Mr. Manu Subedar: Yes; it did. May I know whether at a later stage when the Bengal famine made an incursion in the following year on a smaller scale, this Government made any effort to get food and medicine, and in particular medicine?

Mr. B. R. Sen: The point is that the source of supply for India, as for other countries, is the Combined Food Board; and India pressed her case before the Combined Food Board. India did not find any advantage in approaching the Combined Food Board through the U.N.R.R.A.

Mr. Manu Subedar: Do I take it then that the Rs. 8 crores which this poor country has been made to subscribe to this organisation has gone west and is not available in any measure at any time for the purposes of this country?

Mr. B. R. Sen: The main question we are interested in is foodgrains and the allocation of foodgrains is done by the Combined Food Board. Before allocation is made, the demands of the U.N.R.R.A., of India, and of other countries are examined. We did not see any advantage in approaching the Combined Food Board through the U.N.R.R.A. I may remind the House that the other day during the food debate a motion was passed in which the Government of India was asked to send a representative on the Combined Food Board through the London Food Council; and so it would not be consistent now to say that we should ask for food supplies through the U.N.R.R.A. and not direct from the Combined Food Board.

Mr. Manu Subedar: I am concerned with the very heavy contribution of this country, and I want to know whether this large contribution should be considered as written down, in order to help the countries of Europe or whether we shall get medicine now that plague and cholera and other diseases have broken out in this country, and whether this Government will not make an attempt to get some *quid pro quo* for this very large largesse and present which they have made to European humanity?

Mr. B. R. Sen: I think that question can best be replied to by the Honourable Commerce Member; but so far as we are concerned, we shall ask for the assistance of U.N.R.R.A. if we find it necessary at a later stage.

Sri M. Ananthasayanam Ayyangar: May I know if foodgrains are supplied to China, Phillipines and other places affected by the war through the U.N.R.R.A.?

Mr. B. R. Sen: That is correct.

Sri M. Ananthasayanam Ayyangar: If that is so, why did not this Government make an application to the U.N.R.R.A to get its quota also, and get India a share?

Mr. B. R. Sen: As I have explained very clearly, the countries which get their assistance from U.N.R.R.A. do not get assistance from the Combined Food Board direct as we do.

Sri M. Ananthasayanam Ayyangar: Is there anything to prevent us from getting a contribution both directly from the Combined Food Board and also through the U.N.R.R.A.?

Mr. B. R. Sen: If we put our case through the U.N.R.R.A., then we cannot forward our case direct to the Combined Food Board.

Sri M. Ananthasayanam Ayyangar: Has the Honourable Member taken the trouble of writing to both these institutions and getting their replies?

Mr. B. R. Sen: We have not considered it necessary to do so.

Maulana Zafar Ali Khan: Is there any proposal for India getting foodgrains from the United States and from Soviet Russia?

Mr. B. R. Sen: That question does not arise from this.

Prof. N. G. Ranga: I am not able to follow the answer given to my friend Mr. Ayyangar's question: what prevents the Government of India to approach both these organisations for assistance in regard to food supplies? Is there any rule in the constitution of either of these bodies, that if you approach one organisation, you should not approach the other organisation?

Mr. B. R. Sen: No useful purpose will be served by going through two organisations, when we can approach the organisation of the Food Board direct.

Sri M. Ananthasayanam Ayyangar: Who says so?

Mr. B. R. Sen: We think so.

Prof. N. G. Ranga: It is not a question of thinking. My Honourable friend put a specific question whether there are any rules in these organisations. . . . .

Mr. President: There seems to be a misunderstanding. It is a question of approaching the Combined Food Board through U.N.R.R.A. that is how I have understood the reply—that the Combined Food Board is perhaps the superior body and U.N.R.R.A. working under it; and that is why the Honourable Member says. . . . .

Sri M. Ananthasayanam Ayyangar: He does not know.

Mr. President: If he does not know. . . .

Sri M. Ananthasayanam Ayyangar: Let him say that.

Mr. President: He has said that. I am not adding anything of my own, he said it, and the question was repeated "whether through the U.N.R.R.A. or not".

Sri M. Ananthasayanam Ayyangar: With great respect, may I submit that is not what he says. I am afraid you might have misunderstood him—he should make it clearer. He does not say that we have to approach the Combined Food Board through the U.N.R.R.A. or the U.N.R.R.A. through the Combined Food Board. He only says "If you go to the Combined Food Board you cannot go through the U.N.R.R.A." I wanted to know whether there was any such rule to prevent his doing so.

Mr. President: Then I may correct the Honourable Member's impression—I am not sure I heard that. The facts as stated by him may be wrong or right—I am not concerned with that; but from the number of supplementaries answered by him as to why the Combined Food Board was not approached *through* the U.N.R.R.A., he said that "We do not want to approach the Combined Food Board through the U.N.R.R.A. when we can approach the Combined Food Board direct". That was what I understood; if the facts are correct. . . .

Sri M. Ananthasayanam Ayyangar: Then we would not have put so many supplementaries. He may reply, Sir.

Mr. B. R. Sen: That is correct, Sir.

Prof. N. G. Ranga: What is his answer to my question? Is there any rule in the constitution of either of these bodies to prevent the Government from approaching them simultaneously or together?

Mr. B. R. Sen: There is no rule to that effect, but if you ask for an allocation, then there is no point in getting a part of what you ask through another organisation.

Sri M. Ananthasayanam Ayyangar: Is the Honourable Member aware that there is a C.H.I.N.R.R.A. in China and a P.I.N.R.R.A. in the Phillipines, but there is no I.N.R.R.A. for India to ask for these allocations? If he does not know, it is better he quits.

(No answer was given.)

SERVICE SUPPLIES FROM AUSTRALIA.

400. *Sri M. Ananthasayanam Ayyangar: (a) Will the Honourable the Commerce Member please state if his attention has been drawn to a report in the *Hindustan Times*, evening edition, page 2, of the 2nd February referring to a trade bulletin issued from Australia that certain categories of service supplies are available for export overseas from Australia?

(b) Have Government ascertained what those categories of articles are? Do they consist of capital or consumer goods, or both?

(c) Have Government received any application from importers in India for import licences for any of these articles? If so, how many, and for what variety of articles?

(d) Have Government issued any import licences for supplies of such categories? If so, what are the classes of articles, and what is the approximate value of the articles so allowed to be unported?

(e) How long do Government propose to have import control, and for what purpose and for whose benefit?

The Honourable Dr. Sir M. Azizul Huque: (a) Yes, Sir.

(b) Government have just received information about the articles mainly concerned, and I lay a list on the table.

(c) and (d). I am collecting the particulars required and will lay them on the table.

(e) I am afraid it is not at present possible for me to say how long it will be necessary to continue control over imports. But I may invite attention of the Honourable Member to my reply given today to Mr. Manu Subedar's starred question No. 388 in which I have explained the present position relating to Import Control and imports from British Empire countries in the sterling area.

List of articles declared surplus in Australia general announcement regarding which was recently made in "Austral News" of February 1946.

Bearings.
Canvasware and allied goods
Chemicals—industrial.
Clothing.
Electrical trades goods.
Engineering equipment.
Hardware.
Hessian.
Machine tools.
Mess equipment.
Metals.
Motor vehicles.
Ships.
Textiles.

BHAKHRA DAM PROJECT

401. *Pundit Thakur Das Bhargava: (a) Will the Honourable the Labour Member kindly state whether the Government of India and the Secretary of State for India have sanctioned the Bhakra Dam Scheme?

(b) Has the dispute about the waters of the Indus between the Punjab and the Sindh Governments been settled?

(c) Are Government aware that the Bhakra Dam Scheme has been in contemplation for more than thirty years and that the Government of India and the Punjab Government have been holding out promises during the two Great Wars to the poor and famine-threatened inhabitants of the Districts of Hissar, Rohtak and Gurgaon that all efforts will be made to materialise the scheme as soon as possible and that the said scheme is indispensable for the 'Grow More Food' campaign of the Government of India?

(d) Are Government aware that there have been four severe famines during the last fifteen years in these districts and that the Bhakra Dam Scheme is regarded by Government and the people as the only remedy and safeguard against these recurring famines?

(e) What steps do the Government of India propose to take to settle the dispute between Sindh and the Punjab about the Indus water?

(f) Have the Government of India considered the desirability of arranging arbitration between the two Governments to accelerate the materialisation of the Bhakra Dam project?

The Honourable Dr. B. R. Ambedkar: (a) Under the constitutional position, the Punjab Government are themselves competent to sanction the scheme. The sanction of the Secretary of State or of Government of India is not required.

(b) and (c). As the Honourable Member is aware, a Commission was appointed by His Excellency the Governor-General to enquire into the dispute.

The recommendations of the Commission, together with the views of His Excellency, have been forwarded to the Secretary of State for reference to His Majesty in Council for decision. Meanwhile, further discussions have been held between representatives of the Punjab and Sind Governments and there are now reasonable prospects of an agreement being reached by the two Governments on the issues in dispute. The Secretary of State has accordingly deferred further action on the Commission's Report pending the outcome of these negotiations. For the moment the two Government have been preoccupied with the general elections to the Provincial Legislatures, but it is hoped that an agreement will be reached soon after the elections have been completed and new Ministries have taken office in both the Provinces. I may assure the Honourable Member that both His Excellency and the Secretary of State are fully aware of the necessity of reaching an early decision on the dispute and will do everything in their power to expedite it.

(c) The Bhakra Dar canals and Hydel project has already been recommended for construction as a post-war development scheme.

(d) Full information is not readily available. It is being called for.

(f) In view of the reply given to parts (b) and (e) of the question, this question does not arise.

(*b*) WRITTEN ANSWERS

LEGISLATION *RE* HYDROGENATED OIL

402. *Pundit Thakur Das Bhargava: (a) Will the Agriculture Secretary kindly state if Government are aware that hydrogenated oil is sold throughout India as Banaspati ghee?

(b) Are Government aware that the Imperial Council of Agricultural Research are against the use of hydrogenated oil for adulteration of pure ghee?

(c) Have the Government of India ever considered the desirability of undertaking an All-India legislation in the matter or any legislation for the Centrally Administered Areas?

(d) In view of strong public feeling in the whole of India in the matter, do the Government of India now propose to take steps either to legislate themselves for the whole of India or insist upon Provincial Governments to take up legislation and other necessary effective steps as early as possible to stop this adulteration?

Sir Pheroze Kharegat: (a) As far as Government are aware, hydrogenated oils are sold under various trade names including vanaspati though in common perlance they are referred to as vegetable ghee.

(b) Government are against the adulteration of pure ghee whether with hydrogenated oils or with any other articles. The Imperial Council of Agricultural Research has also from time to time made suggestions to Provincial Governments for stopping such adulteration.

(c) and (d). The Food Department have under consideration a proposal to make the addition of sesame oil to vanaspati compulsory on the manufacturers under the Defence of India Rules; details for its enforcement are being worked out. Proposals are also under examination (i) to compel manufacturers of vanaspati to mark their containers in such a way as to make identification easy, (ii) to prohibit the sale of ghee and vanaspati from the same shop and (iii) to compel dealers to put up notices to make identification of their premises easy.

NON-RECOGNITION OF DIPLOMAS OF DELHI POLYTECHNIC

403. *Shri Mohan Lal Saksena: (a) Will the Education Secretary be pleased to state if it is a fact that the Delhi Polytechnic is based on the Abbot-Wood Report?

(b) Is it also a fact that the scheme of awarding All-India Diplomas and Certificates is similar to that of the United Kingdom? If so, is it a fact that the Diplomas and Certificates of the United Kingdom have country-wide recognition whereas in India they are not recognised even by Government?

(c) Is it a fact that no efforts were made to create an atmosphere for making the Diplomas and Certificates of all-India value?

(d) Is it a fact that the students seeking admission were given an assurance by the Principal that there was no reason why these Diplomas and Certificates would not be recognised by Government and even by industrialists?

(e) Is it a fact that out of the students who have taken Diplomas and Certificates no one has got any appointment so far? If so, what steps, if any, were taken to help them?

(f) Do Government propose to take necessary steps to accord recognition to the Diplomas and Certificates of the Polytechnic to assure the holders of the Diplomas and Certificates of the Polytechnic of a good career?

Dr. John Sargent: (a) Yes, with certain modifications. The Abbot-Wood Report advocated the establishment of a Senior Technical Institution in Delhi and most of the courses provided in the Polytechnic follow the general lines indicated in that Report. The Technical High School is a new feature.

(b) Yes. The Honourable Member is referred to the statement made by me in reply to a short notice question on the 11th February 1946. The National Diplomas and Certificates have now acquired general recognition in the United Kingdom but this was a gradual process covering a number of years.

(c) No, Sir. In the statement referred to I explained the steps which had already been taken by the All-India Boards of Studies to secure recognition throughout India for their Diplomas and Certificates. I stated at the same time what action I was myself taking in order to expedite the securing of this recognition.

(d) Yes. The Principal did give such an assurance and if, as I hope, the steps I have already mentioned are successful, it will be implemented

(e) According to my information this is not correct. Although for the reason I gave to this House on the 11th instant no Polytechnic student is yet eligible actually to receive his Diploma, a number of those who have passed their examinations have been placed in satisfactory employment and efforts are being made to place the remainder. I shall be glad to give the Honourable Member information about the individual cases.

(f) Yes, steps are being taken.

PRIVATE BUSINESS BY MR. WOOD, PRINCIPAL, DELHI POLYTECHNIC

404. *Shri Mohan Lal Saksena: (a) Will the Education Secretary please state if it is a fact that the contract of Mr. W. W. Wood, the Principal of the Delhi Polytechnic expired on the 28th December 1945 and that it has been extended by Government to the 31st March, 1946?

(b) Will Government state the reasons for extending the contract and also under what circumstances he has been granted leave during the extended period?

(c) Will Government state how much leave Mr Wood has taken during the five years, the period of his contract?

(d) Is it a fact that Mr. Wood had been allowed to run his private concern known as Messrs. W. W. Wood and Sons? If so, on what terms?

(e) Is it a fact that there were no less than twenty heads working in Mr. Wood's firm and he was himself looking after the business?

(f) What duties did Mr. Wood perform as Principal of the Polytechnic? Did he take any classes? If so, for how many periods daily?

(g) Is it a fact that the firm of Mr. Wood was located in the premises of the Polytechnic till 1945? If so, was it located with the permission of Government?

(h) Is it a fact that Mr. Wood frequently had to leave Delhi in connection with his business? If so, did he take permission of Government to do so? If not, why not?

Dr. John Sargent: (a) Mr. Wood was appointed Principal of the Delhi Polytechnic for a period of five years with effect from the 29th December 1940, under the terms of an agreement executed with him. In 1943 the terms of his contract were revised and the date of his engagement extended to 31st December 1947. Subsequently the matter was further considered and with Mr. Wood's concurrence it was decided that his contract should expire on 31st March 1946.

(b) When Government agreed to revise the terms of Mr. Wood's contract, it was felt desirable in the interest of the Polytechnic to retain his services, subject of course to the usual condition as to termination, for the normal period of 5 years from the date of the new contract. Mr. Wood has been granted leave which was admissible and due to him under the terms of his contract. He has not availed himself of all the leave to which he was entitled.

(c) During his service of 5 years, 3 months and 3 days, Mr. Wood has had leave for a total period of 7 months and 11 days including the 4 months leave granted to him from 1st December 1945 to 31st March 1946 the date of termination of his contract. The amount of leave to which he was entitled is 11 months.

(d) Yes, Sir. From the beginning of 1943 Government permitted Mr. Wood to undertake a reasonable amount of private practice subject to the following conditions, *viz.*:

(1) that he would pay to Government such rent as may be fixed by Government from time to time for the accommodation of his draughtsmen and clerks in the premises of the Delhi Polytechnic and for use in this connection of telephone and other facilities at the Polytechnic.

(2) that it would be open to Government to restrict the amount of his private practice or to withdraw the permission to undertake private practice altogether if at any time Government considered it necessary in the interests of the Delhi Polytechnic.

(3) that the provisions of Supplementary Rule 12 regarding payment to Government of a portion of the fees received by Government servants permitted to undertake private work shall not apply to his earnings from private practice It was further agreed that Mr. Wood should supply me in confidence from time to time with information in regard to any private Commissions which he had been invited and proposed to undertake This he has done

(e) (i) Yes

(ii) Mr Wood has been in general charge of his business but he has engaged from time to time such assistance, including that of an Indian Manager, as was necessary to enable him to comply with the conditions on which permission to engage in private practice was granted.

(f) Mr. Wood created, organised and administered the whole institution including the Technical High School and the Labour Department's Technical Training Centre. The duties of the Principal comprised "the preliminary work involved in the establishment of a Technical Institute including a Technical High School, and the management of the Technical Institute when established". He was required to "possess powers of initiative and organisation and readiness to experiment, ability to control and maintain discipline among a large body of students". He was not required to take any classes, nor did he do so.

(g) Mr. Wood's firm was located on the premises of the Polytechnic until 1945 with the knowledge and consent of Government He paid to Government rent for the premises used at rates assessed by the Central Public Works Department.

(h) Mr. Wood was out of Delhi on a number of occasions in connection with the work of the Association of Principals of Technical Institutions (India) principally in initiating and setting up the various Boards of Studies who have as their object the raising and standardising of technical education in this country. Mr. Wood received no remuneration beyond his Travelling Allowance for these services. He also visited the United Kingdom on deputation from 18th May—31st July 1945 for the purpose of helping to find places for Indian students in higher technical institutions. It is not correct that Mr. Wood was frequently absent from Delhi in connection with his business.

Re-Fixing of Borders of Assam

405. *Srejut Rohini Kumar Choudhuri: (a) Will the Honourable the Leader of the House be pleased to state if any scheme is being prepared either by the Government of India or by His Excellency the Governor of Assam for the separation of the hill districts of Assam including the partially excluded areas of Khasi and Jaintia Hills, Garo Hills and Mikir Hill tracts as also the frontier hills from the Province of Assam and for the formation of a separate Province consisting of certain districts of Northern Burma, the transfrontier hills and those districts of Assam which are now in the excluded and partially excluded areas of the Province?

(b) Are Government aware that the idea of separation of the areas from Assam and their amalgamation with the transfrontier hills and Northern Burma as mentioned in (a) above is repugnant to the people of Assam living in the plains and hills?

(c) Have Government received any representation or protest from Assam against the Scheme? If so, what action has been taken thereon?

(d) In view of the objections received, do Government propose to take necessary steps for the abandonment of the Scheme?

The Honourable Sir Edward Benthall: (a) The attention of the Government of India has been drawn to certain allegations that schemes are under consideration for the separation of the Assam hill areas from India and their constitution as a separate Colony or State. There is no truth in these allegations and no such scheme is being considered. Nor is there any intention at present to create a new hill province. The creation of such a province would require Parliamentary legislation and it is most improbable that any such proposal would be considered prior to the convening of the Constituent Assembly.

(b), (c) and (d). Do not arise.

Delay in Repealing of War Emergency Measures

406. *Prof. N. G. Ranga: Will the Honourable the Leader of the House be pleased to state:

(a) when the British and U. S. A. Governments have declared the cessation of the war with Germany and Japan;

(b) by what date their war emergency measures have been repealed or dropped; and

(c) why the Government of India is taking so much longer time to do the same?

The Honourable Sir Edward Benthall: (a) and (b). Government have no information of the position in the United States of America. In the United Kingdom there was no war legislation of which the duration was expressed in terms of the present war or present hostilities, with the result that no question arose of fixing the date of termination of the same for the purposes of the duration of legislation. The Emergency Powers (Defence) Acts will be allowed to expire on the 24th February 1946, but many powers taken under these Acts are being continued in force by the Supplies and Services (Transitional Powers) Act, 1945, recently passed and by the Emergency Laws (Transitional Provisions) Bill now before Parliament. Government understand that the bulk of other war emergency legislation in the United Kingdom is still in force and that there is no immediate intention of terminating its operation.

(c) Does not arise, but I would refer the Honourable Member to my reply to questions 9 and 16, asked on the 5th February 1946.

Empire Trade Conference

407. *Prof. N. G. Ranga: Will the Honourable the Commerce Member be pleased to state:

(a) if it is a fact that the Empire Trade Conference is soon likely to be held in London; if so, in which month;

(b) whether India has been invited to attend it;

(c) if it is a fact that the question of imperial preference is likely to be one of the subjects to be discussed; and

(d) what steps Government propose to take to ensure adequate representation at that conference for Indian interests of commerce, industry and agriculture?

The Honourable Dr. Sir M. Azizul Huque: (a) to (c). The Government of India understand that a meeting of Representatives of Commonwealth Governments might take place in May as a preliminary to the proposed International Trade Conference. They have no other information on this subject.

(d) This question will receive the Government of India's careful consideration if they are invited to such a meeting.

RE-ENTERING OF INHABITANTS IN BRITISH RESERVE, MANIPUR

408. *Sreejut Rohini Kumar Choudhuri: Will the Honourable the Leader of the House be pleased to state:

(a) if it is a fact that some British Indian subjects who had acquired land, and other properties, built houses and had been carrying on business for many years (and in some cases about seventy years) in the British Reserves, in Manipur, and had temporarily left the place due to air raids in 1942, have been prohibited from re-entering into their homes in the said reserves;

(b) if it is a fact that the *pattas* of their land have been cancelled, if so, the reasons for such cancellation;

(c) if it is a fact that these people have not been given back their movable properties and cash which these people left behind at the time of their departure;

(d) the present condition of the buildings, mills and cinema houses belonging to these evacuees, and the persons who are in occupation thereof now and under what condition;

(e) if it is a fact that Indian evacuees from Burma have now been allowed to return to their homes in Burma, and that the possession of their properties has been restored to them; and

(f) whether Government now propose to allow the inhabitants of the British Reserves in Manipur to return to their residence to live and carry on their business as before?

The Honourable Sir Edward Benthall: The British Reserve in Manipur, though part of the Manipur State, is an Administered Area over which jurisdiction is being exercised on behalf of the Crown Representative by His Excellency the Governor of Assam and his officers. The information desired by the Honourable Member is being collected and I will lay it on the table of the House as soon as it is available.

PUBLIC HEALTH OFFICER, DELHI PROVINCE

409. *Sjt. N. V. Gadgil: (a) Will the Health Secretary please state whether it is a fact that Lt.-Col. A. N. Chopra, I.M.S., was appointed a special officer by the Government of India to prepare plans with regard to post-war development of health services in the Delhi Province? If so, what are the academic qualifications of Col. Chopra, and what appointment did he hold at the time he was asked to undertake the special enquiry?

(b) Is it a fact that Lt.-Col. D. M. Fraser, I.M.S., has been appointed Director, Health Services, Delhi Province? If so, will Government state the academic qualifications of Colonel Fraser and also his public health qualifications?

(c) Is it a fact that Public Health Officer is required to have a diploma in public health in addition to having the minimum registrable medical qualification?

Mr. S. H. Y. Oulsnam: (a) The answer to the first part of the question is in the affirmative.

Lt.-Col. Chopra was at the time Director of Health and Inspector General of Prisons, Orissa. His academic qualifications are M.B.B.S. (Pb.), D.T.M. (Liv.), D.P.H. (Eng.).

(b) Lt.-Col. D. M. Fraser, I.M.S., has been appointed Director of Health Services, Delhi Province. His academic qualifications are M.B., Ch.B. (Glasg.), D.M.R.E. (Camb). As regards his Public Health experience, he was in charge of the combined medical relief and hygiene military organisation which operated in Bengal in 1943 and 1944.

(c) A Public Health Officer is usually required to possess a Diploma in Public Health.

PURCHASE OF WESTERN AND EASTERN HOUSE BY GOVERNMENT OF INDIA

410. *Mr. Sasanka Sekhar Sanyal: (a) Will the Honourable the Labour Member be pleased to state whether the attention of Government has been drawn to the Newspaper report which appeared on the front page of the *Hindustan Times* (Delhi edition) of the 4th February, 1946, under the caption "Stop the Loot" saying that the British Government are putting pressure upon the Government of India to purchase the buildings at New Delhi known as the Western House and the Eastern House which were built by the former at a cost of Rs. 25 lakhs to be pulled down at the end of the war?

(b) How does the matter actually stand?

The Honourable Dr. B. R. Ambedkar: (a) Yes.

(b) I would refer the Honourable Member to my answer to the Honourable Mr. Venkatasubba Reddiar's short notice question No. 23 of the 8th February 1946.

UNSTARRED QUESTION AND ANSWER.

EXTENSION IN SERVICE TO C. P. W. D OFFICERS.

44. Shri Sri Prakasa: Will the Honourable the Labour Member please state:

(a) the number of persons, who have retired from, but have been re-employed in the services of the Central Public Works Department as Superintending, Executive and Assistant Engineers, respectively, since 1939;

(b) the number of those persons who have been given extensions to their original terms together with the instalments of each term of extension;

(c) if it is a fact that the Finance Department of the Central Government has expressed itself against the grant of extensions to the original term; if so, the reasons for any action in this behalf against the instructions of the Finance Department;

(d) if such extensions interfere with the recruitment of new hands and the advancement of young officers; if so, whether any provision is made to compensate those whose prospects are blocked; and

(e) if Government propose to take any action in the matter of the termination of such extensions and bettering the prospects of younger officers?

The Honourable Dr. B. R. Ambedkar: (a) Three.

(b) Since 1939, extension of service under Fundemental Rule 56 was granted in three cases, the periods of extension being 6 months, 3 days and 1 month respectively.

(c) The answer to the first part of the question is in the negative; the second part does not arise.

(d) and (e). No.

MOTION FOR ADJOURNMENT

RIOTING IN BOMBAY BY NAVAL RATINGS

Mr. President: I have received notice of an adjournment motion from Dr. J. C. Chatterjee who wishes to discuss a definite matter of urgent public importance, namely, 'Rioting in Bombay by Naval Ratings'

Will the Honourable Member please explain what he means by this motion? What is it that he is going to discuss? Obviously it is not the rioting that is going to be discussed but something connected with the Government.

Lt.-Col. Dr. J. C. Chatterjee (Nominated: Non-Official): I respectfully submit that it is not my intention to discuss the question of strikes, although it appears that certain people have struck in the Navy. I take to heart the advice you gave to this House before that it does not help the settlement of strikes if we discuss them at a stage when negotiations are going on. I must respectfully and with a full sense of responsibility wish to draw your attention to the fact that I desire to focus public attention on a matter which appears to me of the gravest public interest, namely, the out break of indiscipline in the armed forces of the Crown. Sir, my information is confined to what I read under banner headlines in the 'Statesman' of today which describes the event—under the Caption Naval Ratings Riot in Bombay. It goes on to say that not less than three thousand ratings ran amuck into the city of Bombay in which, I hope, you are interested and there they committed the most serious offence of burning His Majesty's mails. His Majesty's Mails are one of the most sacred possessions of the domains and dominions of His Majesty and if His Majesty's Forces indulge in burning His Majesty's mails, it is an indication of the grave menace which confronts the country, if action is not taken against such happenings.

12. Noon

Then I find that Naval Ratings went on and seized lorries and drove them with such recklessness that they caused accidents. They ordered shop keepers to close down. They molested passengers . .

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): On a point of order. Is the Honourable Member making a speech?

Mr. President: He is trying to impress on my mind the importance of the subject.

Lt.-Col. Dr. J. C. Chatterjee: I hope I shall succeed

Then they made passengers alight from public vehicles finally, in the main traffic centre of the biggest city of India they stopped all traffic

I am not in the habit of moving adjournment motions. I am fully sensible of the fact that I hold a Commission in His Majesty's Armed Forces which I am proud of. I am therefore proud of the honour, the discipline and the proper management of the armed forces of the Crown. I think no country can lightly pass over outbreaks of indiscipline running to such magnitude by the armed forces of the Crown and I submit with great respect that this matter requires immediate inquiry with a view to prevent a recurrence of this grave menace to this country. Somehow or other indiscipline in the army must be put down with a firm hand and an inquiry should be made by those responsible as to what the reasons are for such strikes in the armed forces of the Crown. Sir these are incidents which fill my mind with grave concern.

Mr. P. Mason (Government of India: Nominated Official): I share the feeling of the Honourable Mover as to the urgency and the seriousness of this question. I view it with very grave concern which, I am sure, is shared by everyone in all sections of the House but I am rather doubtful about the value of discussing it in the form of an adjournment motion. In the first place, I have, at present, very little more information than is obtainable from the newspapers and the information I have got has been coming on the telephone from Bombay and is somewhat cryptic and in some cases garbled.

I also very much doubt whether even apart from the fact that I have little information a public discussion would at this stage be of great value. I have

[Mr. P. Mason]

also received a short notice question which I shall be glad to accept. It has been suggested that I should give an answer on the 25th February, that is, Monday next. By that time I think I shall have information and I hope that the situation will have cleared up a good deal and I would suggest that if the House agrees, we should not discuss this in the form of an adjournment motion but that the House should wait till Monday when I will give a very full reply to the Short Notice Question.

Lt.-Col. Dr. J. C. Chatterjee: In view of the fact that the Honourable Member feels that he has no information to give now and he gives an assurance that he will make inquiries and make a full reply on Monday, I do not press my motion.

Mr. President: Then we need not consider the adjournment motion now.

ELECTION OF MEMBERS TO COURT OF DELHI UNIVERSITY.

Mr. President: I have to inform the Assembly that upto 12 Noon on Monday the 18th February, 1946 the time fixed for receiving nominations for the Court of the University of Delhi nine nominations were received. Subsequently one member withdrew his candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected to the Court:—

(1) Mr. C. P. Lawson, (2) Sri Jagannathdas, (3) Babu Ram Narayan Singh, (4) Pundit Thakur Das Bhargava, (5) Sardar Mangal Singh, (6) Nawabzada Liaquat Ali Khan, (7) Sir Mohammad Yamin Khan, and (8) Syed Ghulam Bhik Nairang.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR EDUCATION DEPARTMENT.

Mr. President: I have also to inform the Assembly that upto 12 Noon on Monday the 18th February, 1946, the time fixed for receiving nominations for the Standing Committee for the Department of Education, twelve nominations were received. Subsequently two members withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following Members to be duly elected to the Committee during the period comprising the unexpired portion of the current Financial year and the whole of the next Financial year:

(1) Lt.-Col. Dr. J. C. Chatterjee, (2) Mr. Frank R. Anthony, (3) Raja Sir Saiyid Ahmad Ali Khan Alvi, (4) Sjt. Rohini Kumar Choudhuri, (5) Sri Bhagirathi Mahapatra, (6) Pandit Govind Malaviya, (7) Shrimati Ammu Swaminadhan, (8) Dr. G. V. Deshmukh, (9) Dr. Sir Zia Uddin Ahmad, and (10) Syed Ghulam Bhik Nairang.

INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I lay on the table a copy of the Instrument for the amendment of the constitution of the International Labour Organisation adopted by the conference at its twenty-seventh session at Paris on the 5th November, 1945 together with a statement of the action proposed to be taken thereon.

INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION.

(Adopted by the Conference at its Twenty-Seventh Session, Paris, 5 November 1945)

The Constitution of the International Labour Organisation Instrument of Amendment, 1945, here reprinted, was adopted by the General Conference of the International Labour Organisation on 5th November 1945 in the course of its Twenty-seventh Session held at Paris, from 15th October to 5th November 1945.

The text of the instrument of amendment as here presented is a true copy of the text authenticated by the signatures of the President of the Conference and of the Acting Director of the International Labour Office in accordance with the provisions of Article 5 thereof.

Certified true copy,

for the Acting Director of the International Labour Office :
Legal Adviser of the International Labour Office.

INTERNATIONAL LABOUR CONFERENCE.

INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION.

The General Conference of the International Labour Organisation,

Having been convened at Paris by the Governing Body of the International Labour Office, and having met in its Twenty-seventh Session on 15th October 1945; and

Having decided upon the adoption without delay of a limited number of amendments to the Constitution of the International Labour Organisation designed to deal with problems of immediate urgency, which are included in the fourth item on the agenda of the Session, adopts this fifth day of November of the year 1945, the following instrument embodying amendments to the Constitution of the International Labour Organisation, which may be cited as the Constitution of the International Labour Organisation Instrument of Amendment, 1945 :

Article 1

In the final paragraph of the Preamble to the Constitution of the Organisation, the words "Constitution of the International Labour Organisation", shall be inserted after the word "following".

Article 2

1. The following paragraphs shall be substituted for the present paragraph 2 of Article 1 of the Constitution of the Organisation :

2. The Members of the International Labour Organisation shall be the States which were Members of the Organisation on 1st November 1945, and such other States as may become Members in pursuance of the provisions of paragraphs 3 and 4 of this Article.

3. Any original Member of the United Nations and any State admitted to membership of the United Nations by a decision of the General Assembly in accordance with the provisions of the Charter may become a Member of the International Labour Organisation by communicating to the Director of the International Labour Office its formal acceptance of the obligations of the Constitution of the International Labour Organisation.

4 The General Conference of the International Labour Organisation may also admit Members to the Organisation by a vote concurred in by two-thirds of the delegates attending the Session, including two-thirds of the Government delegates present and voting. Such admission shall take effect on the communication to the Director of the International Labour Office by the Government of the new Member of its formal acceptance of the obligations of the Constitution of the Organisation.

5. No Member of the International Labour Organisation may withdraw from the Organisation without giving notice of its intention so to do to the Director of the International Labour Office. Such notice shall take effect two years after the date of its reception by the Director, subject to the Member having at that time fulfilled all financial obligations arising out of its membership. When a Member has ratified any International Labour Convention, such withdrawal shall not affect the continued validity for the period provided for in the Convention of all obligations arising thereunder or relating thereto.

6. In the event of any State having ceased to be a Member of the Organisation, its readmission to membership shall be governed by the provisions of paragraph 3 or paragraph 4 of this Article as the case may be.

Article 3

The following shall be substituted for the present text of Article 13 of the Constitution of the Organisation :

1. The International Labour Organisation may make such financial and budgetary arrangements with the United Nations as may appear appropriate.

2. Pending the conclusion of such arrangements or if at any time no such arrangements are in force :

(a) each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or the Governing Body, as the case may be;

(b) all the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid by the Director of the International Labour Office out of the general funds of the International Labour Organisation;

(c) the arrangements for the approval, allocation and collection of the budget of the International Labour Organisation shall be determined by the Conference by a two-thirds majority of the votes cast by the delegates present, and shall provide for the approval of the budget and of the arrangements for the allocation of expenses among the Members of the Organisation by a committee of Government representatives.

3. The expenses of the International Labour Organisation shall be borne by the Members in accordance with the arrangements in force in virtue of paragraph 1 or paragraph 2 (c) of this Article.

4. A Member of the Organisation which is in arrears in the payment of its financial contribution to the Organisation shall have no vote in the Conference, in the Governing Body, in any Committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Conference may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member

5 The Director of the International Labour Office shall be responsible to the Governing Body for the proper expenditure of the funds of the International Labour Organisation

Article 4.

The following shall be substituted for the present text of Article 36 of the Constitution of the Organisation :—

Amendments to this Constitution which are adopted by the Conference by a majority of two-thirds of the votes cast by the delegates present shall take effect when ratified or accepted by two-thirds of the Members of the Organisation including five of the eight Members which are represented on the Governing Body as Members of chief industrial importance in accordance with the provisions of paragraph 3 of Article 7 of this Constitution

Article 5

Three copies of this instrument of amendment shall be authenticated by the signature of the President of the Conference and of the Director of the International Labour Office. Of these copies one shall be deposited in the archives of the International Labour Office, one with the Secretary-General of the League of Nations, and one with the Secretary-General of the United Nations. The Director will communicate a certified copy of the instrument to each of the Members of the International Labour Organisation

Article 6

1. The formal ratifications or acceptances of this instrument of amendment shall be communicated to the Director of the International Labour Office, who shall notify the Members of the Organisation of the receipt thereof

2. This instrument of amendment will come into force in accordance with the existing provisions of Article 36 of the Constitution of the International Labour Organisation If the Council of the League of Nations should cease to exist before this instrument has come into force, it shall come into force on ratification or acceptance by three-quarters of the Members of the Organisation.

3. On the coming into force of this instrument, the amendments set forth herein shall take effect as amendments to the Constitution of the International Labour Organisation

4. On the coming into force of this instrument the Director of the International Labour Office shall so notify all the Members of the International Labour Organisation, the Secretary-General of the United Nations, and all the States having signed the Charter of the United Nations.

The foregoing is the authentic text of the Constitution of the International Labour Organisation Instrument of Amendment, 1945, duly adopted by the General Conference of the International Labour Organisation on the fifth day of November 1945 in the course of its Twenty-seventh Session which was held at Paris.

The English and French versions of the text of this instrument of amendment are equally authoritative.

IN FAITH WHEREOF we have appended our signatures this seventh day of November 1945.

The President of the Conference.

A. PARODI.

The Acting Director of the International Labour Office.

EDWARD J. PHELAN.

The statement below shows (a) the amendments proposed in the Draft Instrument for amending the Constitution of the International Labour Organisation adopted at the Conference at its twenty-seventh session at Paris on the 5th November 1945, and (b) the action which the Government of India propose to take

Original text	*Text after the proposed amendment (In italics)*	*Action proposed to be taken by Government of India*
Preamble—Final paragraph. The HIGH CONTRACTING PARTIES, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following :—	*Preamble*—Figal paragraph. The HIGH CONTRACTING PARTIES, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following *Constitution of the International Labour Organisation* :	To be ratified.
Article 1.—(Paragraph 2). 2. The original Members of the League of Nations shall be the original Members of this organisation, and hereafter membership of the League of Nations shall carry with it membership of the said organisation.	2. The Members of the International Labour Organisation shall be the States which were Members of the Organisation on 1st November 1945, and such other States as may become Members in pursuance of the provisions of paragraphs 3 and 4 of this Article. 3. Any original Member of the United Nations and any State admitted to membership of the United Nations by a decision of the General Assembly in accordance with the provisions of the Charter may become a Member of the International Labour Organisation by communicating to the Director of the International Labour Office its formal acceptance of the obligations of the Constitution of the International Labour Organisation 4 The General Conference of the International Labour Organisation may also admit Members to the Organisation by a vote concurred in by two-thirds of the delegates attending the Session, including two-thirds of the Government delegates present and voting. Such admission shall take effect on the communication to the Director of the International Labour Office by the Government of the new Member of its formal acceptance of the obligations of the Constitution of the Organisation. 5. No Member of the International Labour Organisation may withdraw from the Organisation without giving notice of its intention so to do to the Director of the International Labour Office. Such notice shall take effect two years after the date of its reception by the Director, subject to the Member having at that time fulfilled all financial obligtions arising	

Original text	*Text after the proposed amendment.* *(In italics)*	*Action proposed to be taken by Government of India.*
Article 13	its membership. Where a Member has ratified an International Labour Convention, such withdrawal shall not affect the continued validity for the period provided in the Convention of all obligations arising thereunder or relating thereto. In the event of any State having ceased to be a Member of the Organisation, its re-admission to membership shall be effected by the provisions of paragraph 3 or paragraph 4 of this Article as the case may be. *Article 13—*	
1. Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be. 2. All the other expenses of the International Labour Office and of the meetings referred to in the preceding paragraph of the Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League. 3. The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article.	The International Labour Organisation may make such financial and budgetary arrangements with the United Nations as may appear appropriate. 2 Pending the conclusion of such arrangements or if at any time no such arrangements are in force : (a) the travelling and subsistence expenses of the Delegates and their advisers and of its Representatives attending meetings of the Conference or the Governing Body, as the case may be; (b) all the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid by the Director of the International Labour Organisation out of the general funds of the International Labour Organisation; (c) the arrangements for the approval, allocation and collection of the budget of the International Labour Organisation shall be determined by the Conference by a two-thirds majority of the votes cast by the delegates present, and shall provide for the approval of the budget and of the arrangements for the allocation of expenses among the Members of the Organisation by a committee of Government representatives.	To be ratified.

3. The expenses of the International Labour Organisation shall be borne by the Members in accordance with the arrangements in force in virtue of paragraph 1 or paragraph 2 (c) of this Article.

4. A Member of the Organisation which is in arrears in the payment of its financial contribution to the Organisation shall have no vote in the Conference, in the Governing Body, in any Committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Conference may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

5. The Director of the International Labour Office shall be responsible to the Governing Body for the proper expenditure of the funds of the International Labour Organisation.

Article 36.—Amendments to this Constitution which are adopted by the Conference by a majority of two-thirds of the votes cast by the delegates present shall take effect when ratified or accepted by two thirds of the Members of the Organisation including five of the eight Members which are represented on the Governing Body as Members of chief industrial importance in accordance with the provisions of paragraph 3 of Article 7 of this Constitution.

To be ratified.

Article 36.—Amendments to this part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose Representatives compose the Council of the League of Nations and by three-fourths of the Members.

THE RAILWAY BUDGET—GENERAL DISCUSSION.

First Stage.

Mr. President: Before the General discussion on the Railway Budget commences, I have to announce to the House the time limit which I propose to fix under Rule 46. Before I finally say that I fix such and such a time limit, I would like to have the views of the House in the matter. I propose to fix a time limit of 15 minutes to an Honourable Member, but this would be a strict time limit as we have in the case of Adjournment Motions. I do not propose to reserve to myself the liberty of extending it. Of course, the speeches can also be of less than 15 minutes duration.

Mr. M. Asaf Ali (Delhi: General): Let us hope so.

Mr. President: The Honourable Member for Railways who will reply will be given 45 minutes or more, if he does so want.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): I submit that the spokesman of each of the Parties may be allowed 20 minutes.

Mr. President: Shall I assume that the first speaker who catches the eye of the Chair is the spokesman of each Party?

Lt.-Col. Dr. J. C. Chatterjee (Nominated: Non-official): What happens to Honourable Members who do not belong to any Party?

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): They must join some Party.

Mr. M. Asaf Ali: Or they must clear out.

Mr. President: It is only a question of very few minutes. We need not take up much time over this. There are two Parties and a Group, and if one spokesman of each of these Parties and Group gets five minutes more, it is only a question of 15 minutes in addition.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): The principal speaker should be given 20 minutes.

Mr. President: Even conceding the request for five minutes more to the spokesman of the Parties, it is only an addition of 15 minutes in all. That was with reference to the point raised by Dr. Chatterjee.

Prof. N. G. Ranga: May I make one submission? Formerly, there used to be only one speak for Labour and that was Mr. Joshi, a nominated Member and he was given specific labour motion and he was allowed as much time as the principal speaker of recognised Parties. I hope a similar arrangement will be arrived at in this discussion also

Mr. President: Let us see how the situation develops and what time there is at our disposal. That means that the House wants that I should reserve to myself the liberty of assuming that a particular Member should be given five minutes more as the spokesman, so far as his own person or the Party is concerned. In other words, 15 minutes for each individual Member and 20 minutes for the spokesman of the Party who will be the first person to catch the eye of the Chair.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): The spokesman himself will get up and say he is the chief speaker of the Party.

Mr. President: It may be left to the Party to settle who is to be the spokesman.

Sir Mohammad Yamin Khan: I think it should be settled that the spokesman should first get up and no other Member of the Party should first get up.

Lt.-Col. Dr. J. C. Chatterjee: The general practice in the House has always been to allot the first day to back benchers, and for the big guns to roar on the second day.

Mr. President: The difficulty is there is only one day allotted for the general discussion of the Railway Budget, and the big guns with have no time to get into action. However, we will now start with the general discussion.

Sri M. Ananthasayanam Ayyangar: Sir, I am a small gun and as far as possible, I propose to limit my speech to 15 minutes, but if I exceed, you will take it that I am the spokesman of my Party. Sir, I expected this year that the Honourable Member for Railways would have announced that this would be his last Budget. His Lieutenant said so in the other House that he was moving his last Budget. But my Honourable friend may say that his lieutenant is a superannuated servant.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): I did say so.

Sri M. Ananthasayanam Ayyangar: I am very glad he announced this. I must apologise for my error. I did not hear him properly. I am sure the Honourable Member in his magnanimity would have said so. I was really wondering how a person of his nature did not say so. I am doubly glad to hear that he did say so. His lieutenant being a superannuated man had to say so in the other House, that this was his last Budget speech. My Honourable friend the Railway Member was not a Government servant and I want him to do something more. He came from the European Group.

The Honourable Sir Edward Benthall: No, Sir

The Honourable Sir Archibald Rowlands (Finance Member): Your facts are all wrong

Sri M. Ananthasayanam Ayyangar Did not the Railway Member belong to the European Group at one time.

The Honourable Sir Edward Benthall: No.

Sri M. Ananthasayanam Ayyangar: Well, Sir, I have read of a story in the Puranas about *Trisanku* who did not belong to this earth nor did he belong to heaven. If my Honourable friend the Railway Member was not a Government servant previously and if he does not belong to the European Group, wherefrom did he come? Did he drop down from heavens? I know the interest of these two groups, the non-official Europeans and the Government are identical. They are both brothers in interest. They sit side by side. That is all I know. What I expect of them is to implement what he said. He said that this would be his last Budget and it ought not to be that he simply changes places with Mr. Griffiths and Mr. Griffiths comes in his place. It may not be Mr. Griffiths, it may be some other European gentleman who will drop from England. I do want him to implement the assurance that an Indian will hold this portfolio next. Yesterday the Prime Minister of England announced that he would be sending three Members of the British Cabinet—Lord Pethick Lawrence, Secretary of State for India, Sir Stafford Cripps, President of the Board of Trade and Mr. Albert Alexander, First Lord of the Admiralty. I wish these gentlemen all success. Before they proceed with their business, I do want them to announce that within a year or within a shorter period, India will be free. So far as the internal management is concerned, a Constitutent Assembly will be brought into existence to decide as to what form of constitution should be framed for India.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Talk of railways.

Sri M. Ananthasayanam Ayyangar: I am coming to Railways. My Honourable friend evidently forgets that as the head is the principal portion of the body and if the head functions well, then other portions of the body will automatically remain fit. Likewise, if the Government is transferred to Indians the railways will get automatically transferred to us. Because the top offices are in the hands of Europeans, so railways are still in their hands. I hope my

[Sri M. Ananthasayanam Ayyangar.]

Honourable friend has got as sound and big a heart as his stature is and I hope this will be really his last Budget. Last year, he asked us to be proud of railways because they are our assets, the railways belong to India cent per cent and that they are operated 99¼ per cent by Indians. Last year, he told us that only ¼ per cent are Europeans and that share also would be handed over to us soon. I am sure, if it were completely in his own hands, he would have done so. What is the situation now? Is there a single Indian Member on the Railway Board? How can we solve this problem of top-heavy administration if Railway Board is not Indianised? Why is it not possible to Indianise the Railway Board completely? Is there a single Indian General Manager on any Railway? Of course, my Honourable friend or his lieutenants behind him would jump up and say, there is a single Indian General Manager. But he is a superannuated officer. Barring that single case, is there any other Indian General Manager? Every Chief Engineer is a European, all heads of Departments are Europeans. Persons in charge of workshops are Europeans, the head is European, the nerve centre is European, and as I said last year, possibly the extremities are Indians. Am I to be proud of such a state of affairs? The centre and the extremities are linked in this administration and unless the Centre is changed, the extremities also will not get changed. My Honourable friend seems like asking me to run the wagon without coupling it to the engine. Unless the engine draws the wagon, it will not move. They are all so intimately connected with each other. Therefore, my first and foremost duty to this House and to my constituency is to see that the management of railways is handed over to Indian hands as early as possible. That is the relevancy of my remarks till now.

Let me now turn to the railway administration during the past year. I am not at all satisfied with the fact that we have still to look to the Europeans for carrying on the administration of this railway asset which belongs to us. The entire continent of India belongs to us. God has given us this country. It is being ruled by the white man. That is the asset of which I am to be proud, as also to be ruled by him and to be managed by him—it is a disgrace. If I ask you to quit tomorrow and even if there should be a declaration that you will quit or the entire administration should be given to us, I will have to be helpless and will stand before European gentlemen here asking them to manage our assets. That is the training that you have given us. Have you not been able to find one single Indian to be in charge of the administration of railways as General Manager? And no one has been found who is competent enough to fill a place in the Railway Board; that is the position. Hereafter what will happen is that even though Government hand over the administration to us there will be a white European at every important post to see that we do not interfere. The property may be mine but the enjoyment is theirs.

Now let me come to this Budget. I find that my Honourable friend has become war-weary. The Budget shows traces of weariness. There is neither policy nor programme in this Budget. I want not only Indianisation of personnel, I want Indianisation of machinery also. All important machinery is today imported, and not today only but it has been so for some generations. My grandson also will have the pleasure of riding in a train drawn by an English or an American steam engine. For long years to come this country will not be able to manufacture its own engines. I expected a fuller report from the Honourable Member as to what progress is being made with respect to the manufacture of locomotives in this country. Kanchrapara was discovered after 150 years of British rule in this country as a fit place for putting up a manufactury. What further steps have been taken? In the speech of the Honourable Member covering 20 pages, one line has been devoted to Kachrapara. Have estimates been prepared? Have experts been brought in? How many years will it take before the first engine is manufactured here? What

is the approximate cost? What is the average number of steam engines that we want in this country? What is the capacity of this Kanchrapara? The entire thing is in darkness; we know nothing about it. And, therefore, though the three estimable gentlemen who are coming from England should immediately tell us to take charge of this administration from tomorrow and India is free, I will have to fall at the feet of my Honourable friend and request him to continue here so that for some years to come we may have engines from his hands. Is that a proper state of affairs? Is that the kind of management of which I should be proud?

Then, Sir, during the war a number of these factories have been turned over to the production of war materials. So they will hereafter either have to be closed or switched on to peace-time jobs. The Honourable Member's speech contains no assurance—and we want that assurance—that with respect to other smaller needs and for every single item of manufacture we will be self-sufficient and will not have to go to foreign countries. That is one way in which the thousands of employees who have been employed during the war and who will have to go back helpless may be re-employed in this country. I am obliged to my Honourable friend for having stated to us that he does not want to indiscriminately send away the labour employed during the war. Though the labour force has increased by some lakhs he has disbanded only eight thousand now and he proposes to disband only some thousands more. I am obliged to him; but it should not be at the cost of efficiency. There may be too many men in a particular job and money may be wasted on them. But if you give them skilled employment, make them skilled workers, start further industries in this country and employ these men on these industries, it will not be a wastage. But if, on the other hand, you make a gift of my money—the third class passengers' money—and then feed a number of people without any employment, I say that is not the way to tackle this problem. My Honourable friend, Mr. Guruswami, will not be satisfied with this kind of subsidy to labour. He would like these labourers to work heart and soul for this country, work with the greatest enthusiasm and earn their living instead of depending on bounties. That is so far as the Indianisation of machinery is concerned

Let me now come to the operative portion of this. The war has exhausted the nerves of many people. I am sure the Honourable the Railway Member must have suffered too and has grown older during these five years of war. He might naturally expect some relaxation and younger people more interested in this country will certainly take charge. But in the meanwhile has he suggested any modes of economy? The first requisite for running and operation is coal. Was it not open to him to have acquired a number of coalfields wherefrom coal could be extracted and the railway administration could be self-sufficient in coal? I find that 26 million tons of coal are produced in the various collieries of this country and 14 million tons per year were produced in 1944-45 in the Indian States,—that is about 40 million tons in all. Our railway needs are of the order of 9 million tons a year, whereas from our own railway collieries we produce 2½ million tons, leaving us a deficit of 6½ million tons of coal every year. So a number of other collieries could have been purchased and worked. There is no programme whatever. My Honourable friend refers to it and says that for want of coal a number of things have to be sent along the sea route. Is there any programme about taking charge of coastal shipping also? I thought there would be a general programme, in the same way as he evolved a programme last year about controlling road transport for the purpose of co-ordination on one side and better services on the other. There was a rate war some time ago among the coastal ships themselves and between the railway companies and coastal ships. It is much cheaper for goods to be carried from Bombay to Calcutta along the sea rather than by rail.

The Honourable Sir Edward Benthall Not now.

Sri M. Ananthasayanam Ayyangar: I am glad to have that information. Possibly the Calcutta merchants of the class to which my Honourable friend belongs may have impressed upon him that the difference should be removed. But there are other merchants struggling in this country and there are 20,000 odd railway goods rates which have not been settled. It is no good saying there are a number of problems. Every one of us—though we have no departmental experience—knows that these problems are there. What has my Honourable friend contributed to the solution of these problems during the year? This is an administration report that he has placed before us giving us an idea of what he did last year and what he proposes to do next year. Possibly he thinks that it is no longer his business to take charge of this administration and, therefore, he has not suggested ways and means. I expected a more radical programme.

Mr. President: The Honourable Member may remember his time limit. There is hardly a minute more.

Sri M. Ananthasayanam Ayyangar: May I have five minutes.

Mr. President: I have no objection, but according to the arrangement arrived at, if he takes even one minute more he will be treated as the spokesman of the Party.

Sri M. Ananthasayanam Ayyangar: I do not mind. With the permission of my Leader I will speak for another five minutes.

Now I will proceed to the other matters. I only took coal as an instance to show that with the purchase of some collieries we could make the railway administration self-sufficient.

There are some other matters also in which economy could be achieved, without much of inconvenience to the labour employed. The amalgamation of various systems of administration and their regrouping was expected a long time ago, but it has still to come. Though amalgamation has been talked of it has not yet been done, and we are in the same old stage when the companies managed these administrations and railways.

I do not want to talk about retrenchment now because we are not settled as to how retrenchment will affect the railways and how many hundreds and thousands of men will be thrown out of employment. Sir, more than as a business concern, now that this asset belongs to this country, I am anxious about its service aspect rather than as a commercial concern. I would say that, left to myself, the taxpayer in this country ought not to expect a single pie from the railway administration for the purpose of the general revenues. I am opposed to it. There is no doubt that there is a debt of 800 crores for this asset but for that debt interest is paid from the revenues. More than that why should we expect a pie? The general taxpayer need not take anything at the cost of the third class passenger and at the cost of the various amenities. But the general taxpayer is taking five crores. Let that be stopped; let this be a perfectly useful service and let not labour be withdrawn.

As regards catering, so far as amenities are concerned there must be a definite programme as to how you can improve the amenities at the stations. Yesterday during question time we referred to soda water. Soda water is not the only thing. Refreshments should be available throughout the railway system. On the M. S. M. Railway and South Indian Railway they have got their own catering arrangements. I have been suggesting in season and out of season that catering must be taken over by the Railway Department. That should be done during the course of this year.

Then, Sir, I come to the last point: Rail-road co-ordination. Rail-road co-ordination was not well meant. My feeling is that it is a halfhearted measure. Roads belong to the Provinces and they have ample sources of revenue. In due course we are going to have provincial autonomy, so don't take away that good source of income from the Provinces. If you want to avoid unfair and

undue competition enter into arrangements with the Provinces. Let the Provinces take over the running of buses. If the Provinces have not got the funds, let the Central Government take it up, but what the Honourable Member is doing is wrong—he wants companies to manage this. He belongs to the old school; he forgets that in his own country there is a change from the capitalistic system to the socialist regime. He persists in the old mentality that only a private company can manage and not the State. I think the State should be able to do this much better because profit is not its motive. I am not in agreement with the rail-road programme in the way in which he is tackling it; he is giving away the management to private companies who will come there to loot the public.

Lastly, as regards accounting, I find even to this day we have got a load of 900 crores of debt over the Railways. There is a load of debt; the assets are *nil*.

My Honourable friend promised four years ago to enquire as to what our assets are. There is no account. I will be surprised if my Honourable friend can show what is the present value of our assets. If I say it is *nil* or *minus*, my Honourable friend has no authority to challenge. That is the way in which it has been managed. A committee was appointed but it was not given sufficient material.

Under those circumstances, I respectfully submit that the management of Railways last year was not good and that the Honourable Member has placed before us an insipid Budget with no policy and no programme. Possibly, it is so because my Honourable friend is thinking of retirement—I do not want to say anything at present; if he is retiring then I will eulogize him and I will wait for that opportunity. Till then I have only to say that he has not contributed to the improvement of this very valuable asset and his administration has not shown an indication that during the past year it was managed to our advantage or during the succeeding year there is anything going to be done to our advantage.

Sir Mohammad Yamin Khan: This is the first time after 1940 that I have seen such a gloomy Budget presented in this House. We had a progressive increase during the last five years, and now, I think, that Joseph's prophesy of 'lean years swallowing the fat years' is going to be fulfilled. This year I find a steep fall of Rs. 48 crores in railway traffic receipts. This means that all of a sudden we are being faced with not only a big cut in the revenue, but also that reserve funds, which we had developed and we had built to the tune of Rs. thirty-seven crores and forty-eight lakhs, are going to be reduced to somewhere like 17 crores of rupees next year. If seven crores of rupees out of these 17 crores of rupees are taken out for Betterment, then it means that the Reserve Fund will stand at 10 crores of rupees, instead of 37 crores of rupees. This is the position which the House must take notice of immediately. Our financial position is going to be deterorated in this manner: the total traffic receipts for the current year are expected to reach the figure of Rs. 225 crores, but it is going to be reduced to Rs. 177 crores during 1946-47. If this downward tendency goes on, probably with five years we will find ourselves where we were in 1939, *i.e.*, Rs. 100 crores. If we go down so much, I think, the Railways will not be able to manage their position.

Sir, I find that sometimes the Railway Board and the Government make commitments on behalf of Railways which have far-reaching financial consequences without consulting even the Standing Finance Committee. I noticed his last year when an item of a few lakhs of rupees was included in the Railway Budget which was not properly explained to the Standing Finance Committee. It was not explained to the Standing Finance Committee that that sum was provided for the purchase of motor lorries. The Standing Finance Committee in the short time which they had to discuss this matter thought that it was only a sum of rupees 82 lakhs, but it was ultimately brought to

[Sir Mohammad Yamin Khan]

the notice of this House that the Government did not intend to spend these 32 lakhs of rupees on rail-road co-ordination, but there was another sum which was provided for which had never been explained to the Standing Finance Committee. We have found that some time a new item is put into the Budget the full implications of which are not explained to the Standing Finance Committee. I think that all the new items should be brought to the notice of the Standing Finance Committee who should give their verdict after fully examining the various aspects of the question and after satisfying themselves that it would be beneficial to public interests. This was not done last year, and this made the position of the House very difficult. On the one hand, the House was faced with the position that it had voted for an amount which was never explained to them, and on the other hand the House had rejected a policy which they thought was not in the best interests of the people of this country. I do not want to go into details of the Rail-road scheme today because we are going to discuss this matter on some other occasion, but I will only warn the Railway Board that no financial commitments should be made before the Standing Finance Committee is given an opportunity to examine it. The Standing Finance Committee is there for this very purpose, it is the watchdog on behalf of this House and if such matters are not brought before this Committee, I think justice is not done to this House. This must be done in future. I think that it is time that a committee, whether it be the Standing Finance Committee or a new *ad hoc* committee, should go into the whole finances of the railways and they must put up before the House a scheme how to save the railways from deteriorating financially as is forecast by the Budget presented to the House. I shall make several other comments on the Budget. I leave the financial aspect on one side.

The Honourable Member has said that there are many coaches in the possession of the military, but he has not mentioned clearly where these coaches are, whether in India or outside India. That ought to have been explained in his speech.

Then, Sir, the next point is that now that the war is over I find that the U. S. A. are not going to supply wagons to us on lease and lend terms. Then why should not an industry be developed in this country to make all the wagons instead of importing wagons from outside. If the U. S. A. are not going to provide then all the orders which have been placed on firms outside India should be cancelled by the Railway Board and the people who will become unemployed should be given employment by this means with a proper industry to be put up on behalf of the railways.

The Honourable Member says, he has to import a certain number of railway engines till such time the plant is put up here and we start building our own engines. But he has not explained to this House—I would ask the indulgence of the Honourable Member to listen to these points rather than talk to individual Members—when these plants for making railway engines will be in full swing in this country. The House wants to know how far this scheme has progressed, where he wants to put up this plant and when the first engines of the Broad gauge will be manufactured in this country. I think this ought to be fully explained.

There is one other point. The Honourable Member says—of which he gives an indication—that many railway employees will be sacked and their places filled by *ex*-servicemen. I do not know why *ex*-servicemen should be given priority over the railway servants who did good work during very hard times when the railways were working under high pressure and the Honourable Member had been paying compliments to them. But yet he now wants that after their work has been done they are no longer required, but some other people who have been rendering duties elsewhere should be brought in their places.

This policy is, to my mind, not just and I do not think that the Honourable Member is justified in adopting a policy of throwing out his own servants and making room for others to come in. The Honourable Member has hinted that there will be alternative employment for the railwaymen. What are those alternative employments? He ought to have explained that to the House. When he has not done it, may I ask him whether it is right to find out an alternative employment for the railway people, or is it better to find out these alternative employment for the *ex*-servicemen whom he wants to bring in here and the railwaymen are asked to make room for them?

The Honourable Member has made one remark that nobody in this House will like that the prices of coal should go down so as to become uneconomic. I think the Honourable Member has probably received some kind of inspiration from those companies or managers of those companies who cannot run their business on a competitive basis or who cannot manage their own affairs. I think the prices should come down and everybody should be given an opportunity to compete with the big firms and the big firms should not be allowed to make very huge profits while the poor people and smaller companies who are willing to work miles on smaller profits should be given full chance. If the high prices are kept, then the big companies will be making huge profits and this whole anxiety appears to me to be for the protection of big interests and not for the benefit of the country. I do not think any trade can live or carry on for even a year if it is not making any kind of profit, but it is probable that the Honourable Member has been satisfied by the representations of those people who approached him. They may not like to have smaller profits but they want big profits while the others are contented with smaller profits, and why should they not be given a chance

Another point. In the case of priorities I find a great deal of discontent prevailing in this country. There are many trades which want priority and they are not given it. For instance, I understand, but other Members will probably speak with greater knowledge on this, that the lac trade is suffering a great deal. They are not having priority for the movement of their goods and their business is suffering a lot. In Ferozabad in the Agra district the big industry of bangles and glassware is not getting the proper quota and that business is at a standstill. There are many other trades which are suffering in this respect. I say that wherever there is a big concern of cottage industries, they should be given an opportunity to export their goods in order to make some amount of money for themselves. The Honourable Member will realise that it is going to be the policy of India that cottage industries should be encouraged as much as possible and they can never get any encouragement if they do not have proper facilities for the traffic of their goods. Their goods must go prior to the goods of the mills. Therefore, I think, Sir, that all these factories must receive consideration of the Railway Board.

On the Rail-road question, which comes very prominently into this matter and to which my Honourable friend, Mr. Ayyangar has referred to, there will be a greater detailed discussion later on.

I have put these points briefly which I had to make on a general discussion. There is one more point. I find that the Honourable Member has put it as a basis that all those improvements which are not remunerative, and are not earning anything, should be debited to revenues and should not be considered as capital expenditure. I agree with this policy and I think that all those concerns which bring no income should be charged to revenue rather than capital. But the Honourable Member has been postponing for a long time the improvements on railway stations, where there is much room for improvements and which have been pressed for. Many schemes have been accepted and if our revenues are going to drop by Rs. 48 crores in the next year and we have no solution in the current year, then all of a sudden all these improvements will have to be stopped because we will have to cut our coat according to the cloth. I have a glaring case in mind I hope the House will excuse me and

[Sir Muhammad Yamin Khan.]

will not think that it is because of my patriotism for my city that I am mentioning it. I have pressed for this case for a very long time. There exist in Meerut two railway stations, one called the Cantonment Station and the other called the City Station. Probably the traffic in the City station is about eight or ten times more than the traffic in the Cantonment station and it is also the terminus of the East Indian Railway. The whole of the Cantonment station is covered, whereas the City station is all open. In the hot weather and during rains the passengers suffer great inconvenience. They have to get into and get out of trains in the pouring rain and also to cross from one platform to another in the rain. This has been brought to the notice of the Government for a very long time and the matter has been postponed because the material was not available and during lean years it was pleaded that money was not available. The Honourable Member thinks that railway income is going down but I think the cause is that they do not provide proper facilities and proper conveniences to the travelling public. The travelling public should be provided with those amenities which are necessary for attracting them to the railway station. Where, as in Meerut, every day the passenger traffic is between ten thousand to twelve thousand, there is urgent need that the whole platform should be covered and the passage connecting the two platforms should also be covered as has been done on Moradabad station, Bareilly station and other stations on the East Indian Railway. Meerut is one of the seven big cities of the United Provinces. It is unfortunate that they have not covered the City platform simply because there exists the Cantonment Station three miles away.

Sir, these are the observations that I have to submit for the Honourable Member's attention and I have done.

Mr. P. J. Griffiths (Assam: European): Mr. President, in a transition period like the present, when our thoughts on most subjects are coloured and sometimes distorted by emotion, it is sometimes difficult in our debates here to preserve the proper balance between the past and the future. Some of us are prone to dwell exclusively on the achievements or the failures of the past, while others become wholly absorbed in their hopes and fears for the future. When, however, we come to deal with the prosaic subject of railway finance, it should be possible to escape from this emotional atmosphere and to approach the problems concerned in the same spirit as shareholders of a great trading concern, interested alike in past policy as well as in future proposals. We are entitled to begin by considering what has been done by the Directors. We are entitled to assess the work and the policy of the General Manager—and here I may make it clear at the outset that in my view our General Manager, the Honourable Member for Railways and War Transport has done us extremely well. And then having considered past results, we are entitled, indeed we are bound, equally to consider the plans and policies for the future.

We ought perhaps to begin by remembering that budgeting for the kind of era on which we are now about to embark is a peculiarly difficult process. It is fairly easy to budget for a period of wartime expansion. If you over-estimate, there is not much harm done, because you make up for it in the following year. If you under-estimate, that is not allowed to have a cramping effect upon national activities, because in time of war "the sky is the limit". In the period on which we are now entering, an entirely different set of considerations will prevail. It will be a period of relative contraction; and in such a period, not only is budgeting difficult, but incorrect budgeting may be extremely serious. In such a period, if you over-estimate, you are in for trouble; while you under-estimate, you are going in for unnecessary curtailment, you are doing what may result in cramping the general development of the national economy.

At the beginning of a period of this kind it is but right that we should try to take stock of our position. We should ask ourselves what the strength of the railways really is. To put it in another way, if lean years lie ahead, as they well may, have we enough fat on which to live?

I want to examine briefly the strength of the position of the railways from four different aspects. First, I want to consider its physical and mechanical strength. Secondly, I want to examine its financial strength. Thirdly, I want to touch briefly on its degree of advancement with its post-war plans. And fourthly if time permits, I want to examine its strength on the labour front.

Let us first take its physical and mechanical strength. Have we, for example, enough engines, enough wagons, enough coaching stock, to supply the needs of post-war India? When we come to the question of engines, it is worth remembering that the Wedgewood Committee came to the conclusion that the number of engines was slightly excessive. But I think most of us agree that we were, in fact, actuated by a very narrow conception of economy at that time, a conception of economy which resulted in far too high a proportion of old engines. Engines in one respect are like the members of my late service: it does not pay to work them more than 35 years. If you do, there is a marked falling off in their efficiency. So we have the position today that a large proportion—I think it is 29 per cent.—of our engines, have outlived their proper time. We have, therefore, to discount very seriously the apparent increase in the number of broad-gauge engines from 7,200 before the war to 8,500 now. I think a fair estimate of the engine position would be, that in view of the fact that India is now starting to make broad-gauge engines, the stock should be just about adequate, but no more. Provided the most rapid possible development is given to Indian engine production, we can expect to have enough for our requirements.

When I turn to wagons I find a somewhat similar position. Here you have an apparent increase of 25 per cent. over the prewar position. But again you have to remember that 11 per cent. of our wagons are over forty years old and you have to remember, too that even before the war, during certain seasons of the year the wagon position was very tight. It is very clear, therefore, that a very heavy task lies ahead of industry in this country, if the production of wagons is to be kept up to the requirements of the country.

When we turn to coaching stock, it is quite clear that a great task still lies ahead of this country, but it is a task which should not be beyond our powers as the men and materials and all the other requisites become gradually available. And so I suggest that under the first head, the physical and mechanical strength of the Railways, a fair summing up would be that the position at the end of a great war is not altogether unsatisfactory, provided we have a vigorous production programme.

I turn now to the financial position What is the financial strength of the railways. Here I was slightly disturbed at the suggestion of my Honourable friend, the Member for War Transport, that in the next year, there are going to be what he called "plethoric money conditions". I feel some diffidence in joining issue with him on this matter, firstly, because I cannot claim his vast business experience and secondly, because I am probably the one Member of this House, who makes no claim to be an expert economist But in spite of that, there are certain factors, which even a layman can observe and I think the most potent of those factors is that Government is the greatest spending agency in this country today and Government expenditure is, we hope, coming down rapidly. If it does not, certainly we shall have a lot to say about it in the discussions on the General Budget. It is reasonable to expect a very considerable reduction in the scale of Government expenditure and that reduction is very likely to have its effect on the whole economy of the country and to induce a slackening of the general tempo. That in turn is bound to mean for railways a period of relative contraction. What is 'our strength' and what are our resources at the beginning of such a period? I cannot go into our resources in detail. But, speaking roughly, the depreciation fund, the resources fund and the betterment fund, taken together, will amount next year to about Rs. 180 crores. How does that compare with Government's requirements for post-war plans? When Sir L. P. Misra worked out some of these plans some-

1 P.M.

[Mr. P. J. Griffiths.]

time ago—and I must incidentally say that in doing so he exhibited great breadth of vision and imagination—when he worked them out, he arrived at a programme of Rs. 319 crores for a period of, I think, seven years, of which Rs. 125 crores were to come from the depreciation fund. When my former colleague, Sir Frederick James, dealt with this subject two years ago he estimated that by the end of this financial year we should have Rs. 150 crores in our various reserves. That figure, he felt, would be by no means too much. Today we have not Rs. 150 crores, but Rs. 130 crores. The figure is by no means too high. There is no cause whatsoever, for us to feel complacent or to think because we have Rs. 130 crores in our pockets, everything is well. In our view, that figure, if anything, is somewhat on the low side. At the same time we recognise that they could not be helped. We recognise—and here I disagree with my old friend Mr. Ananthasayanam Ayyangar—that, it is important that the Railways should go on paying their contribution to general revenues. That contribution seems to us to be an integral and irreplaceable part of the general financial system of this country. So our conclusion on this point, the financial strength of the railways, is that our stewards, the Railway Board, have wisely husbanded their resources during the war, but that what we have now in hand is nevertheless by no means excessive.

I come to my third point, namely, how far are we advanced in our post-war plans? I think I can say straightaway that, in my view, the railways have done better in this respect than most of the other Departments. Their plans are more advanced; they are less airy and they show a greater appreciation of the necessary correlation between planning and finance. It seems to me that there are three questions which we need to ask with regard to any post-war planning. First of all, is it a plan and not just an aspiration; secondly, is it related to reality; and thirdly is the money available for it? In the Railway sphere we know there are many individual plans. Have they come to a stage of a co-ordinated, comprehensive scheme? Do we know what the time-table is going to be, or within how many years the various stages in the plan are going to be reached?

We know, for example, that five thousand miles of railway are to be re-constructed or constructed. Do we know how long this is expected to take? Then, there is the question of coaching stock. We realize that coaching stock cannot be produced in a minute and we are grateful to the Honourable the War Transport Member for his warning that he has not got a magic wand by which he could produce the coaching stock overnight. We know he has not that magic wand. But, from past experience of Government, we are anxious to make certain that the plans for the production of coaching stock do not remain mere notes on files. Effect must be given to them. There is often a difference between a note on a Government file and the translation of that note into action. We want from the Honourable Member, if it is possible, some kind of a statement as to his connected time schedule. We were much heartened by a reference in another place, a reference which seemed to me to import an unusual touch of reality, a reference by the Chief Commissioner to the necessity of bearing in mind construction capacity before embarking upon plans. I agree entirely with the Chief Commissioner. As he puts it is wrong and financially wasteful if railways undertake work beyond their spending capacity. We should like the Honourable the War Transport Member in his reply, to give us some idea of his estimate of the spending and construction capacity, if that is possible at this stage, and to assure us that this correlation is going to be one of the dominant features in dealing with these plans which at present exist merely on paper.

In the sphere of planning we fully endorse the proposals for improved third class coaches. India's third class traffic has, I think, served her well in the past; it provided cheap transport for a poor people. But it will not do for the

future—it is not in line with modern standards. We cannot continue to tolerate the herding of men in carriages like cattle. I therefore welcome the observation of the Honourable the War Transport Member that this matter of third class accommodation is going to receive special priority and that carriages will be provided in which people can travel like human beings. We trust the programme will be implemented as speadily as possible.

Apart from these post war plans, however, there are things which could be done even now. We know that coach building is not easy. We know you cannot build coaches overnight or even within a month. But many other things can be done and perhaps foremost amongst them is the task of getting carriages cleaned. At present many of the carriages on many of the lines are a disgrace, and I speak not only of the third-class but of the first-class carriages. I do not know whether any of my Honourable friends have had the unfortunate experience of travelling on that part of the B. & A. Railway which goes through Assam. If they have they will know that it is very nearly impossible to go into the lavatories, because they stink and they will know that too little has been done to put carriages into a reasonably useful condition. I am anxious—and I am quite certain that the Honourable the War Transport Member will agree with me—that the excuse of the war shall not continue to be given for all time to come. Many people have been glad of the war as an excuse for not doing this or not doing that. I hope this excuse will not in the case of railways be allowed to continue indefinitely. Incidentally when I talk of carriages, I have always understood that the Honourable the War Transport Member is particularly interested in ticketless travellers. He might like to know that during the past two years on certain railways there is a fresh class of ticketless travellers, I mean the cockroaches which infest the carriages by night.

It is an unpleasant experience to be in company with some of these particularly unpleasant ticketless travellers. I do hope, therefore, that the War Transport Member will impress on everyone the need for remedying this. There is much which can be done now.

There is one other thing that could be done. Something should be done to prevent the mad rush into the carriages which takes place at all large stations today. It is a very terrible sight to see the stampede to get inside. It does not follow that because there is only one train a stampede is necessary. Even if you have, for the time being, to put three train-loads of people into one train, cannot something be done to control the method of getting into that train? Is it impossible in this country for the railway authorities to start the queue habit? If it could be started, apart from its being a protection to life and limb, it would serve as a lesson of great social value in other parts of the country. I hope my Honourable friend the War Transport Member will pay some attention to this.

Then there is the fourth point, namely, the labour front. Here there are two separate questions. The first is the question of the numbers to be employed and the second is the rates of pay to be given. So far as the numbers to be employed are concerned, we are in general agreement with the policy which is being followed, namely, the policy of avoiding retrenchment wherever possible. We quite agree that in a matter of this kind you cannot aplpy the crude commercial test. We cannot say that because we do not need these men, they must go. Every possible attempt should be made—and I believe it is being made—to see that these men are absorbed. We should however like information as to the way in which these men are being absorbed. Are they being given economically productive work or just being found jobs? Is their employment considered a good business proposition, or is it just what might almost be called charity "necessary if you like, but charity"? Our own view is that given proper organisation, rehabilitation together with the performance of many jobs that are hanging fire, should make it possible to absorb practically all these men, indeed I might say, all of these men, in productive occupations. I shall be grateful if the Honourable the War Transport Member can give rather more details about this in his reply.

[Mr. P. J. Griffiths.]

Then coming to the question of scales of pay, here we generally support the three-fold policy set forth by the Honourable War Transport Member. That policy consisted firstly in embarking upon an examination of the wage structure, secondly, in postponing for the present the fixing of the rates of wages, and thirdly, in maintaining in the meantime these dearness allowances without which life would be impossible for a very large class of railway servants.

As far as the wage commission is concerned, we would like to know many more details about it before we commit ourselves to support or oppose it. We would like to know more about its composition, its terms of reference, the procedure to be adopted; whether it is going to act as a unit for all services or to break itself up into a number of compartments and work by sub-committees—we need be told a great deal more about it. It might even be—I am not saying it would be, I am merely throwing out the suggestion—that several separate commissions would be better than one in a matter of this kind. We want to hear rather more about its being predominantly non-official. We have always taken the view in our Group that wage rates are a matter between the employer and the employed and that where necessary and where the employer is not the Government, Government should step in and hold the ring—I believe that is the right method of dealing with these wage matters. We would like to know more about the kind of non-official representation proposed on this body and the reasons why it is intended to be a predominantly non-official body. After hearing this we shall form our own conclusions. One thing I would like to say in this connection, is that if this body is to be non-official, we in this group would naturally expect to be closely associated with it and would, of course, give it the fullest possible co-operation.

My last point is with regard to the proposed revision of rate structures. We welcome this proposal. Nothing can be more important to the development of industry than the maintenance of a proper structure of rates for freight. It does not necessarily follow that because you have a very large number of different rates—nearly 20,000 I think—that large number connotes inefficiency. On the contrary, it may even be that that large number shows that attempts have been made to adjust rates to certain trades or particular industries in particular places. The whole subject is very complicated I cannot possibly discuss it on the floor of the House, but we do welcome the proposal to examine it.

I am not quite happy about the proposal to lay the matter—I am not quite sure at what stage it has to be laid—before a committee of this House I am not myself satisfied that a committee of this House is the kind of body which can usefully examine an extremely complicated and cumbrous document of the kind which must be involved in a report presented on the subject of rates structure. Myself, I do feel that this is a matter for experts. It is right that this House and the Standing Finance Committee should have the final say in agreeing or disagreeing with the proposals of the experts, but I should very much deprecate the suggestion that a committee of this House should be brought into the picture for any other purpose except to take a broad view and express its general outlook on the results at which the experts had arrived. Do not let us think that we in this House can do the job of technical experts I could not do it and I question whether any Honourable Member in this House could, except perhaps my mathematical friend who understands all mathematical problems, Dr. Sir Zia Uddin Ahmad, can.

My last word is this: I think it is useful to remember that this Budget is in a way a signal: when you have a great trading institution like the railways preparing to budget for a decline in receipts and for a period of relative contraction, it is likely that that will mean a general slackening in the tempo of business and in the tempo of finance all round. That is a matter which we have to bear in mind at the time of considering the General Budget, but I do suggest that we should study very carefully the wise attitude adopted by the

War Transport Member, a conservative attitude towards the future, and adopt a similar attitude ourselves towards all our problems and demands.

Let me finish on this note. I do not think there is a single Member in this House who does not realise the tremendous strain which the last six years have thrown upon the railways of this country. It is hardly too much to say that but for the magnificent work of the railways we might not have beaten Japan, at any rate, on the Assam front. I think railwaymen of this country, from highest to lowest, have a right to our gratitude; they have a right to expect that we should be proud of them and that we should say to the whole world that the railways of India have done a first-class job in winning the world's greatest war. In that tribute I must include my friend, the War Transport Member, Sir Edward Benthall, who, I imagine, really intends this to be his last Budget. For his sake, I hope it is. I hope so too because I am one of those, like my friend, Mr. Ayyangar, who hope that the constitutional problem will be settled very quickly for this country. Be that as it may, if, this is his last Budget he can feel that he has done a first class job, that he has done well by India, and he is certainly entitled to our gratitude.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Mr. President: Before Honourable Members resume discussion, I have to make again an appeal to co-operate with me by being as short in their speeches as possible. I have been noticing that a large number of Honourable Members are anxious to speak and it would be impossible for me to meet the wishes of all those who desire to speak unless other Honourable Members help by being very short in their remarks. Of course, I need not add that the points once made need not be repeated.

Miss Maniben Kara (Nominated Non-Official): Mr. President, the Budget which has been presented to this House by the Honourable the War Transport Member is called a Victory budget. A Victory budget, I think, ought to be a very bold and imaginative budget. Unfortunately, to me it appears to be a humdrum budget, because a Victory budget should necessarily have an absolutely different outlook, namely, it should be of an expansionist nature. Nobody in this House will say or feel that in our country there is no scope for expansion of Railways. The Railways could expand to the furthest corner of the country and that alone will be a guarantee for the prosperity of trade, industry, and agriculture. This Budget, which is supposed to be for the post-war period, should not have a conservative outlook. The Honourable Member has talked of an expansionist policy but when I see and read the statement, I find very little trace of expansion of which he has talked. Not more than two crores of rupees are set aside for expansion which is so badly and urgently needed for the prosperity of our country in the post-war period.

There is also the other point about the amenities and comforts of third class passengers. Most certainly the Honourable Member has made certain references to them and I would take the liberty of reading a line from his own statement. He says that the question of new designs for lower class passenger coaches has received intensive study. Now, that sort of statement is not very convincing, because, so far if it has only received intensive study, one does not know when actually it will be possible to put that into practice. The conditions of third class travel are a scandal and disgrace to the country and their improvement must be immediately taken in hand. I would have been satisfied if some specific time limit was put but the promises that have been given are very vague promises. Also while talking about profits to me it sounds as if the

[Miss Maniben Kara.]

Honourable Member is a big capitalist trying to develop the Railways from the point of view of profit. But let me remind the Honourable Member that railways are not merely a commercial department of the Government of India. If that were so, the Commerce Member would have taken them over. The entire thing has been looked at from a commercial point of view. Certainly any well run business, any well run railways are bound to give profits. But at the same time we must remember that profits should not be secured at the cost of the poor third class passengers and the common man of this country. Profits should not be at the cost of human conditions of travel which are very badly required in this country. The Honourable Member has said that railways are a great industrial asset but they are also a great social asset. We cannot overlook the fact that the railways are not merely an industrial asset but they are also a social asset and if they are a social asset they have got to be viewed from the point of view of the greatest service to the people of the country. The entire Budget if planned from that angle will certainly be a very different one. My criticism of the Budget is from a particular angle and that particular angle, I feel, that the Honourable Member has missed, because he has talked of the adjustment of the Budget according to the present economic activities of the country. I would say that India should look ahead. We are looking to post-war reconstruction of our society and if we view it from that point of view every Member of this House must agree with me that the railways should act as a lever for the development of trade, industry, and agriculture of our country. We must not be satisfied with adjusting our Budget to the existing economic activity. We have to see that it acts as a lever for increasing the economic activity of our country. If this outlook was not overlooked, the entire Budget would be different. I once again emphasize the fact that if the Budget was viewed from that point of view, the greatest need of our country is to bring our goods from the villages to the towns and *vice versa*. There is a great scope for the development of railways which will ultimately lead to the development of trade and industry. Why should more emphasis not have been paid to the expansion of railways. At every step and at every stage the Government have taken a very very halting stand. Whenever any step was taken, it has always been halting. If we view the expansion of the railways from the point of view I have just mentioned, I cannot understand the necessity of the Railway Member throwing out 8,800 men. I would ask, Sir, why are you sending away 8,800 people, when you ought to have recruited thousands and thousands of people for new work? If you had a plan, a well designed plan for the reconstruction of our society, you would need more men. All these things are happening for the simple reason that we are having a hand to mouth policy from time to time. The country will have to plan out well in advance. If that is done, we, who represent the cause of labour, we, who supported the war for destroying Fascism are strongly of opinion that every sailor and soldier who is demobilised can get employment without causing unemployment amongst railway workers. I am glad the railway workers have received words of appreciation from all quarters of the House. But mere appreciation will not help. Mere good words do not fill their stomach. In order to fill their belly, what is needed is that these words of appreciation should be backed by action. Let us not go and tell these workers, as is often done, that we thank you because you were not the victims of false propaganda of other people and because you stayed and worked at the cost of your life but now get out because there is no work for you. It is their legitimate right, as part of the victory of the United Nations that they should have their share in that victory and that can only be secured provided the Government of the country takes a bold stand in reshaping the entire social and economic structure of our society which is absolutely outmoded. If people really try to look at every department of the Government of India from this angle, I can assure you that the co-operation of the masses will be there, if not of the few rich, From that angle, I cannot help feeling that the Budget

presented by the Honourable Member is one prepared by a very conservative minded person.

Mr. President: I may remind the Honourable Member that her time limit will end shortly.

Miss Maniben Kara: I thought I had twenty minutes.

Mr. President: Twenty minutes for Leaders of Parties and 15 minutes for ordinary Members. But that was before the lunch recess. After the lunch interval, I have made a special appeal that, in view of the large numbers of speakers each Member will curtail his or her speech as far as possible. But the limit I have in mind is about ten minutes.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Further rationing.

Miss Maniben Kara: Beacuse of shortage of time, I am sorry, I cannot go into details. Reference has been made to the provision of maximum possible work of an economic kind. Reference was also made to this by the Leader of the European Group who stated that he hoped that the workers would not be left to live on the charity of others. Let me assure my Honourable friends here that every worker lives by the sweat of his brow. It is not the workers who live on the charity of others, but it is the other people who exploit the workers. On the contrary I feel that a few privileged classes are living on the charity, the blood and the sweat of the workers.

Lastly, I am terribly grieved to read the remark that the monies spent on the amenities or the comforts of the people will be considered as unremunerative. In these days of the 20th century, do we still believe that it does not pay us to give human conditions of life and travel to the people? It will pay us back with profit if amenities and comforts are given. Better conditions of travel mean there will be more travel, more money will come and there will be no more deficits.

Finally, Sir, in view of the shortness of time at my disposal, I would only appeal to the Honourable Member for Railways that he may still revise his Budget on the basis of the general principles which I have stated. Otherwise, I shall have to regard this as a very unsatisfactory Budget.

In conclusion, I only want to make my position clear. I belong to no political Party present in this House. I belong to labour and I am going to view all questions only from the point of view of labour. I have no sympathy with the Congress, I have no sympathy with the Government, I have no sympathy with the members of the opposition Parties, because I feel that all of them have joined hands to maintain the social *status quo* in this country and they only talk of Indianisation. That is not going to satisfy me, Sir. The thing that will satisfy me is not a transference of authority from a white to a brown bureaucracy. What will satisfy me is a reconstruction of this country so that the toiling millions of the country will have enough to eat and all the other necessaries of life to live happily. With these words, I thank you very much for giving me an opportunity to take part in this debate.

Mr. Vadilal Lallubhai (Ahmedabad Millowners' Association: Indian Commerce): Sir, I stand here today as a businessman; viewing the Budget in a business perspective. After all railways are an industrial concern, and all industrial concerns must be run in a way that will be very helpful to the country so that they may make both ends meet. I am sorry to find that the Budget presented is not one that I can support. What is an ideal Budget? When I take the balance sheets of an industrial concern and compare the things that have been managed, and if I find that certain things have not been managed properly, then I must say it is not a good concern. In the same way, I find that the Railway Administration could have done better and they could have provided more amenities to the public. I refer to Appendix VII-B, C and D. What do we find? There are five railways

[Mr. Vadilal Lallubhai]

that are running at huge losses, to the extent of 15 crores in next year's Budget. While there are other railways which are earning 27 crores profit. Thus two-thirds of the earning capacity of other railways have been taken up in meeting the deficit of these five railways. Take the B. N. Railway and the B., B. and C. I. Railway. You will be able to gather the trend of the profits and losses of these railways. The B. N. Railway spends 115 per cent of their net traffic earnings. That is, they are making a loss of 15 per cent. In the case of B., B. and C. I. Railway, they are making a profit of 36 per cent. Every year the expenses of B. N. Railway and various other railways are going up, whereas the expenses of B., B. and C. I. are well maintained within limits. If we look at the total track miles of both these railways, they are practically the same. If you see the goods traffic and also the passenger traffic, they are also constant, without much difference and still one railway is making a big profit, while another railway is making a big loss. So we should consider it from that point of view and find out why some railways are making losses and some are making profits. I feel that proper attention has not been given to this by the Railway Board. In various private industrial concerns people compare their own balance-sheets with those of other concerns and try to find out where they are making mistakes and immediately they try to remove them. I feel that proper attention has not been paid to these expenses and to the rate structure of various railways, both in goods as well as in passenger traffic where there are so many anomalies; the rates are in some cases 50 per cent more in one railway and 50 per cent less in another. And in various other expenditure items I find that there are lots of differences, and that is why the railways are not doing what they ought to have been doing. I will here give a few examples of the heavy expenditure they are making which expenses could have been reduced to a great extent. We find that five hundred quarters are being built in Delhi at a cost of 68·61 lakhs, *i.e.*, each quarter will cost about Rs 14,000. I do not think the ordinary staff is going to get a house for Rs 14,000. Exorbitant expenses are incurred on the housing of the higher staff. With this amount they could have made more than a thousand quarters for the lower and clerical staff. Similarly, the New Delhi goods station is a very small station, but now the war has ended and they are still going to spend 20 lakhs on it. There are very many other examples. Some traffic infringement has been made somewhere and to remove that a sum of two crores is being spent. I do not understand why these traffic infringements were made originally. These examples can be given in plenty, but I hope these three will suffice to show that the Railway Board has not been working as hard and as intelligently as they should have done.

If we now go to the expenditure side of it we find that this year we are going to have in the net traffic receipts a reduction of 48 crores. The expense reduction is only 24 crores but that figure of 24 crores is not correct. The figure will come down to only 6 crores. It was decide last year to put the figure on the expense side from the revenue, and last year we put 30 crores to the expenditure account, and this year we are putting 12 crores. If this difference of 18 crores is taken out the reduction in expenditure will be only 6 crores while the net earnings are less by 48 crores.

Talking of wagons and locomotives the Honourable Member said that we have a sufficient number of wagons and we will not have to import any more wagons, but about locomotives he feels that although we have got about 1,200 more locomotives we will still have to import some in the near future. I do not understand why he should import any more locomotives. If during war time these engines which were overworked and over 35 years old could haul greater traffic, why cannot they haul greater traffic in these years to come, so long as we are not self-sufficient in the building of locomotives? I do not think any new order should be placed for locomotives; the same should be the position with regard to coaching. I am told more coaches are being ordered. I do not

understand why even after five years of war when so many industries grew up here we could not build coaches.

As regards depreciation fund I will say that the depreciation amount has been taken as 1/60th, which is only 1½ per cent. I do not understand why such a small amount has been taken; depreciation is certainly much more than that. Locomotives last about 35 years and wagons about 40 years, and so naturally the depreciation amount should have been much greater. I quite appreciate that 15 crores are put in the betterment fund, but I think more should have been done about this fund so that the lower class passengers could have got more amenities. The Honourable Member said that they are thinking of raising the rates in England by 20 or 25 per cent. He talks of England, but does he consider the other amenities that are given in that country? There are only two classes of coaching there, First and Third,—and the difference between the two is so negligible that while three people are sitting in the First class there are probably four in the Third class. As regards sleeping accommodation also, there is just that much little difference. In both the classes there you find velvet and nice cushions, so that the amenities in the Third class there are very great, compared to which we are in a very miserable condition which should be remedied. I think there should be complete planning and a time limit in that sphere and that in a couple of years the position of the lower class passengers should be improved. The lower class passengers are paying the highest amount to the traffic receipts; and even to do this I would say that the upper class passengers may be charged more and even luxury goods traffic may be charged more. I agree with my Honourable friend, Miss Maniben Kara, that the conidtion of the third class traveller is terrible and impossible to be tolerated any longer, and I hope immediate action will be taken in that behalf.

Sir, as my time is so limited, and the Chair has asked us to economise in that respect, I will say no more.

Maharajkumar Dr. Sir Vijaya Ananda (United Provinces: Landholders): Sir I at first thought of going to Connaught Place and purchasing a boquet for the Honourable Member but since I heard his speech I have changed my mind. In his speech he has said nothing clearly in respect of third class passengers for which we should be happy about. If anything, the third class passenger is as badly off as he was before, and the present circumstances are such that it pains one to see how they are pushed into the compartment through the windows and the diseases that follow on account of such congestion. At some stations I have actually seen people dying on account of excessive congestion and nobody takes charge of the corpses. And in the midst of all this we find that most luxurious saloons are used by the high officials, whereas they can easily be turned into First Class compartments and the First Class compartments made into Third Class. I can assure Honourable Members on the other side of the House that when a National Government comes into being they shall not require these luxurious saloons. It may be that by saying this it may look a bit tall or something like that, but if some kind of gesture is made I am sure this side of the House would greatly appreciate it. Pandit Nehru in a speech said that while in Bengal people were dying like flies race-horses got preference over wagons carrying food. This happened between Bombay and Poona. I do hope that after the lesson that Government have learnt they will not do it this time and that wagons will be sent to those areas which are threatened with famine. We were hoping that pre-war rates for third-class passengers would be restored, but from what I see there is a likelihood of their being increased. Now that more or less all the Railways have been acquired by the Government, let there be a *uniform rate for* all classes. As regards comforts, there is very little even for the upper class. You cannot get a bath even in the upper class carriages.

3 P. M.

[Maharajkumar Dr. Sir Vijaya Ananda]

I should like to see the Railway Board completely Indianized. There are lakhs and lakhs of labourers that were employed during the war by the Railways in India, and I am told that they are all being discharged in order that the Army may get in. I think it is hardly fair.

There is one point which I would like to make clear, and I hope the Honourable Member will give his personal attention to it. The station staff—high and low—are most uncivil to passengers. The third class passenger is, of course, out of the picture altogether; he has to stay for days on end and nobody ever cares for him. As regards the upper class passengers, they similarly suffer from lack of courtesy on the part of railway officials, and if a man happens to go dressed in his national costume I can assure you he is treated with the utmost contempt. This has been more the case with Anglo-Indian Station Masters and Anglo-Indian Ticket Collectors in addition to our own men. I can assure you that the only way to get a safe passage from one place to another is either to get into khaki or to dress like an A. R. P. Officer. Of course with the cap that you put on, Sir, if I may point out, I have seen people being insulted to such an extent that I actually gave up travelling. I had to go by car and naturally I had to draw upon my friends' petrol ration.

I hope, in view of the points mentioned by so many Members, the Government will do something more for the third class passengers. I am not very keen about first class and second class passengers, but third class passengers' lot must be improved.

Sir, I have great pleasure in opposing this Budget.

Hajee Choudhury Mohammad Ismail Khan (Bakarganj *cum* Faridpur: Muhammadan Rural): Mr. President, Sir, the Honourable the War Transport Member in presenting his last Railway Budget, has been at pains to bring some new hope and cheer into the disquieting affairs on the Railways, particularly their actual administration. He has, apart from showing what are by now the well-known Railway profits, overdone it in more than one aspect. He has, for instance, completely blacked-out from his speech the most burning question of the day—the foodstuffs and their transport by the Railways. He talked gleefully of the capacity of the Railways to shoulder future responsibility, provided nothing intervenes. These are sad words in the context of today. He failed to mention that the Railways don't propose bungling the food-transport as they did the last time during the Bengal famine, when it is almost a joke now—luxuries were being transported to Calcutta while millions died for the want of the much-needed grains. The Honourable Member has given us no assurance on the point that there will be no miscarriage anywhere. Perhaps, he intends eating fruits and cakes, drinking milk and never thought of grains and pulses. I would very much like him to reassure us as to what exactly he intends doing in the matter to meet any exigency and that the priority system which he intends keeping on will put the foodstuffs as *Priority Number One* on the list. Otherwise, not the least responsibility will be his and the Railways, if things go wrong. I emphasize this again and again because though the Honourable Member has the power and right—a very temporary power and right—to trifle with engines and boilers and wagons, he has no right to trifle with human life.

The Honourable Member and the Chief Commissioner of Railways mentioned the increased number of wagons and engines that were now on the run throughout the country, but confessed some of the difficulties: the maintenance and the outturn of engines and boilers. This further underlines the importance of planning before-hand for the coming crisis in the food situation. I ask, Sir, why can't they plan ahead? Why don't they get along more seriously with the job, which is their basic job, which job that has existed long before the food crisis? Why don't they do that if they don't want to be reduced to the position of beggars abroad?

The question of planning ahead directly brings me to the other most disquieting feature of the Railways, which is that of the staff. The Honourable

Member began and ended his speech by thanking the railwaymen for their admirable work during the strenuous years of the war, but he held out no reward for them in concrete terms of rupees, annas and pies. Mere words of thanks is like giving a stone for a bread and virtually slapping in the face, with the remark: "I fooled you well".

The other day we had an adjournment motion in the House about it and the incompetency of the Railway Board was revealed patiently, flamboyantly. The Honourable Member said that out of a strength of 850,000 men, only 8,000 had been found surplus and discharged. I say the Honourable Member is playing with the livelihood of these 8,000 men, particularly because of the days ahead. On the one hand, he has big expansion and post-war plans, and on the other he wishes to take his time over these. Which is nothing but incapacity to look ahead and plan properly, well and truly. Anyone could see that after the war, there would be need for expansion and reconversion, and not to be prepared for it is only to show bureaucratic bungling, red tape and undue hesitation. For, after all, how is it that only in this country these difficulties are felt *so greatly* and not in others, though there are no fair land or heavens? To my mind the answer lies somewhere in the unimaginative minds who manage the show.

The Honourable Member was and is alive, but only apparently alive, to the demands for the revision of the scales of pay. As usual, he shows hesitation, because he is uncertain of the future price level. The argument may sound very plausible, but the fact remains that the Government did not feel any such uncertainty in 1931 when they set themselves to the wholesale revision of scales of pay, knowing very well that the then price level could not last all the time. If at that time things could be done easily, speedily, cuts imposed and new scales introduced with furore and holiness of purpose, why not now? In all other countries, such revision has taken place, despite the so called uncertainty of price-levels. The promised Commission, I hope, will show a greater sense of urgency and responsibility than the Treasury Benches.

The only really tangible things that the Honourable Member talked of were in connection with the passenger traffic. Though, on the whole, pessimistic about wagons, he promised less crowded lavatories for Inter and III Classes and fans for the Inter Class. These are welcome measures and deserve our congratulation. But that is not enough. He seems to have ignored that not only less crowded lavatories are needed but also better ones. A washing-basin, for instance, should be provided in all lavatories irrespective of the Class, unless the Honourable Member thinks that III Class passengers don't have to wash themselves.

The question of fans has been particularly a vexed one in the past, and again I congratulate the Honourable Member for giving it a practical shape. But here again, no distinction should be made between the various classes. This is an elementary human need and fans alone should not be a bait for higher-class travel. This, at any rate, is a matter which should take precedence over some of the other things, for instance, the improvement of air-conditioning of the higher-class compartments. Higher-class passengers have so many other facilities that it will not matter much if they have to wait for some time more to see further additions to them. Unless this is done, the actual result of providing fans in Inter Class may not be as good as the Honourable Member imagines. Inter Class compartments will be much more crowded—there are already too few of them—and this will negative the utility of fans. I hope, Sir, the Honourable Member will soon realise it and get down to it as an urgent post-war measure. The Honourable Member has made no reference of improvement in catering. Yesterday during question hour Members expressed strong views against N. W. R. aerated water contractor who has no professional experience and whose work is most unsatisfactory. Mr. Manu Subedar and other Members pointed out that the railway method of earning money out of higher tender

[Hajee Choudhury Mohammad Ismail Khan]

is wrong. Professional people who have experience of 40 to 50 years should not be made victim of the whims of General Manager on plea of a higher premium. This is a serious matter and the Honourable Member should know that higher tender reflects on prices to passengers.

While I am on the subject of passenger traffic, I will mention that catering, particularly the catering by the Muslim refreshment rooms and hawkers is very bad. On the Bengal and Assam Railway, on which I happen to travel frequently, the conditions are worse. But the Railway Administration has not seriously tackled the problem, though it has existed for long. Unlike other matters, there is no excuse for mismanagement here for it does not entail any financial burden on the Railways. It is necessary that the system of catering inspectors should be enforced vigorously and defaulters brought to book immediately. Corruption, nepotism and incompetence, which exist in this respect at the cost of passengers, should end if only the Administration makes up its mind.

I will, Sir, be failing in my duty if I did not emphasize the absurdity of not providing proper lights in all the compartments, specially lavatories. This is obviously a source of inconvenience to all, but ladies are worst sufferers, particularly, if they have to board the gents' compartment when no other accommodation is available. Sometimes hooligans get into these compartments, practice theft and even molest the ladies. This state of affairs should not be allowed to go on any more and steps should be taken immediately to provide electric bulbs in all compartments and lavatories.

Lastly, Sir, I must point out that the Muslims continue to be underrepresented on the Railways. This is a very very old grievance, and I do not know what are the difficulties of the Railway Board in the matter. The grievance is particularly marked in the higher appointments which are filled by promotion and which gives abundant room for jobbery and pettifogging in the Railways, as in any other Department of the Government. Apart from the injustice of this, it is obvious that if a set of employees is discontent and aggrieved, purely from the point of administration, it is an undesirable state of affairs. The sooner the Honourable Member remedies these ills the better.

Raja Bahadur of Khallikote (Nominated Non-official): Mr. President, Sir, I crave your indulgence and the indulgence of this Honourable House for this my maiden speech on the floor of this House.

In spite of the termination of the War there is no improvement at all in the facilities of railway travel; not even a restoration to the old conditions, however bad those conditions were. Particularly deplorable and reprehensible is the condition of the vast bulk of the people who are condemned to travel in the third class, owing to their economic plight, and from whom ironically enough the railways draw most of their revenues. The incredible congestion in the third class compartments and the total absence of any facilities to mitigate the hardships involved in that travel have rendered them so many cells of hell. Third class travel is veritable hell. No wonder that Mrs. Nicholl of the Parliamentary delegation was flabbergasted when she witnessed the anxious crowds jostling themselves in front of the compartments and trying to get into them on the platform of Delhi Junction recently. It has become literally impossible for women and children to get into these compartments except through the windows or through the assistance of some bribed Railway or Police officials. The invasion of even this scanty accommodation by the military personnel and the failure of the railway authorities to exercise proper check and control adds to the misery of these people. However, Sir, it is a happy augury that these third class passengers are to have sleeping accommodation in the future. We are indeed looking forward eagerly to that day. But for the present it would be a great consolation if the suffocation they suffer from, due to overcrowding, is removed. Even servants' compartments—and I am talking from personal experience as I have seen for myself—

that are intended for *bona fide* servants of first and second class passengers to seat from 5 to 10 persons are overcrowded to the tune of 30 persons, travelling with large quantities of luggage, one sitting over the other. In addition to this, a very tolerant administration allows these unfortunate passengers to travel on footboards and even on the roofs of trains. This is much to the credit of the sense of humanity exhibited by the railways. After all in India, Sir, human life is so cheap that a few accidents resulting in deaths, do not matter. What difference does it make if you die of suffocation inside the compartment or die by slipping from the footboard or from the roof of the train?

All military personnel, in my view, of the upper and lower classes should travel in special trains or in coaches specially allotted for them and should not encroach upon the normal accommodation available for the ordinary public.

Sir, I wish here to make a personal note regarding the conditions prevailing in my province of Orissa. The famous Jagannath Temple at Puri attracts, during the car festival, thousands of pilgrims from all over India. They somehow find their way to this place of pilgrimage with or without tickets even in the scanty train service that exists now. It is I submit high time for the authorities to revive the old practice of running pilgrim special trains to carry these thousands of pilgrims that go to Puri particularly during the car festival. Sir, the least the Railways should do is to provide more third class compartments and particularly, to add one or two more compartments for women and children in every train. To relieve congestion, more trains must be introduced. During wartime the public of course had to tolerate anything Now that the war is over, you must do something to meet their requirements and comforts.

Conditions of travel in the upper classes are not very much better than conditions in the third class travel commensurate with the big difference in fares. There is crowding also in the upper classes, sometimes, the conditions are most intolerable Compartments are awfully dirty as has been referred to by my Honourable friend Mr. Griffiths They are never cleaned and practically no heed is paid for reservations Reference was made by my Honourable friend Mr Griffiths to conditions prevailing in the Bengal and Assam Railway. But I am referring to conditions that prevail in the B. N. Railway and what I say is from personal experience Very often one has to travel without lights and even without water in the bath-rooms. Bulbs are stolen and often resold to Railways. The doors never lock and the windows have attained absolute independence Since there is no water, the question of a mirror does not arise. It is extremely wise on the part of the administration to have removed such mirrors as there were, as a costly superfluity. Berths are often made up of coarse canvas and to compensate for all these inconveniences, the carriages themselves, are so made that you are bound to keep awake all night. My Honourable friend Mr. Griffiths referred to cockroaches only but I wish to add something more Due to eternal darkness in the compartments, not only cockroaches, but rats, bugs and an occasional scorpion (I have had personal experience of them) have made the compartments their permanent place of residence and are what might be called permanent ticketless travellers There is nobody to listen to the complaints of the suffering passengers of any class, whether upper class or lower class. Officers take shelter under some rule or the other. They say that reports should be made to some officer or other, who is always talked about but is never to be seen. The guards and conductors of trains and other railway staff are absolutely callous and indifferent never worrying to do anything to look to the comforts or requirements of passengers. Honourable Members on the Treasury Bench, I believe know all these difficulties but like wise men they prefer to turn their blind eye and travel mostly by air.

An Honourable Member: They travel by special saloons.

Raja Bahadur of Khallikote: Yes, they travel by luxuriously equipped saloons when there is so much suffering going on. I would invite them to travel

[Sreejut Rohini Kumar Chaudhuri]

representation in railway services is concerned, the people of Assam have absolutely *nil*. It may be said that in higher offices they are appointed on seniority and merit, but as regards other appointments they should have a chance. No question of competition arises in some of the posts, but still our people have not so far got any luck in services at the disposal of the Railway Department

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I first offer my personal gratitude and appreciation to all officers and servants of the Railway Department who successfully administered during the War to our railways under very heavy strain in spite of the fact that they were not personally benefitted by the abnormal income which they helped to earn. Before I developed my argument I would like to ask one simple question, namely, whether our Indian railways should be treated as a commercial concern or as services of public utility. My Honourable friend, Mr. Gole, tells me that they should be treated as a commercial concern. I would reply to him that he should then pay the income-tax, super-tax, excess profits tax and all the taxes which all the big companies have to pay. But all the taxes are evaded by saying that we are services of public utility and should, therefore, be exempted from all the taxes and at the same time to say that we are a commercial concern is not correct. You cannot have it both ways. On the one side you claim that you are a service of public utility and that you should be exempted from all these taxes and on the other side you demand that all the rules applicable to commercial concerns are to be applied to you. You are really neither the one nor the other, and you claim both. It is on account of this dual position that a large number of problems have arisen which we have to solve. Sir, on account of the purchase of all the Railways before time and on account of the boom which will be very likely followed by lean years, a number of problems have arisen which we really have to face and which we have to solve. Our problems now are much more difficult than the problems which Railway Administrations had to face after the last Great War in 1920. The Honourable Member himself mentioned some of them in his speech. He mentioned first the depreciation fund which really requires consideration. I would require about half an hour to develop the argument about this depreciation fund and so I leave it and refer to the book which I have published already. All I can say is that India is the only country which has got a depreciation fund of this type How the figure of one sixtieth of the capital at charge is calculated I am at a loss to understand Why not $\frac{1}{50}$, or $\frac{1}{44}$ crores?

My friend next said that the depreciation fund is too small. It is really 14 per cent. of our gross income and 24 per cent. of our working expenses. This cannot be called small But as my Honourable friend said, this requires very careful consideration.

Next comes the question of the revision of the convention. I agree that there should be a revision. I do not agree that the railway service should be only a service of public utility and should pay nothing to the general revenues and should be free from all taxes I am strongly of opinion that we ought to make some consolidated contribution to the general revenues—a fixed and definite amount. The sub-clause in the convention of 1924 about the division of excess profits really leads to confusion and I think we ought to be more exact and definite in the contribution to general revenues. The convention of 1924 should be revised.

Then, about rates and fares, it is a much more difficult affair. While I was writing my book on Indian Railways I got stuck up at this problem, whether I should tackle the problem by considering the railways as a service of public utility or as a business concern. If it is considered as a public utility service, we should only charge as much as is required for its maintenance. You have no right to put in large reserves and big dividends in the pockets of shareholder.

You should attempt to earn only so much as is necessary. But it is neither the one nor the other.

There are however three points in rates which are very evident, although the whole problem requires very serious and scientific consideration. (1) For example, as was pointed out, there should be a flat rate for all railways: all railways are now State railways and their rates should be on the telescopic basis. (2) The same commodity should be put in the same class by all the railways. (3) Special rates should be minimised. These are the obvious things which every layman can consider. But rates and fares require very careful and scientific consideration—I cannot deal with them now. The old theory of charging as much as the traffic can bear is now obsolete, and we cannot apply this old dictum now.

Next, about the price of coal and level of wages. The wages are fixed in sympathy with the price level of food stuffs and clothing and therefore it is very difficult to take up one point apart from the other. Both of them require very careful consideration.

Then about the transport policy, it is no doubt very important. In great hurry we adopted the formula by backdoor methods, but it is now universally condemned from every quarter, irrespective of social position and of province. So it requires a good deal of revision. I am glad that we are discussing this question. In future we will have to consider not only the co-ordination of road and rail, but also of air and water in addition. These things will have to be considered and the problems will have to be faced. I am inclined to think that the first class traffic should be handed over to air and we should have only two classes on the railways—what is called Holz and Pol, that is, wooden seats and seats with cushion. There should be only two classes, upper and lower, and not four as at present.

Sri M. Ananthasayanam Ayyangar: Why should there be even this difference?

Dr. Sir Zia Uddin Ahmad: Probably the world has not moved so far.—I wish we had only one class—I would rather have the same food and clothes for myself and my servant, sitting at the same table and sitting in the same compartment and enjoy common food. Of course this question also requires very careful consideration.

Now, since we have purchased all the railways, this grouping together of certain railways is a very important question.

There is another matter to which my Honourable friend has not referred and that is the question of strategic lines. If I get time I shall speak about this later on, but the way in which it is shown in the Budget statement is not right. I would suggest that in these matters a committee should be appointed of the type of the Acworth Committee. I have read very carefully the reports of fourteen committees that have been appointed by the Railway Board in the present century. There are only two committees who really made any contribution. One was Robertson Committee in 1901, who sent in a 30-page report and Lord Curzon was so angry that so much money had been spent for producing a mere 30-page report that the Railway Board promptly added something to it to make it more bulky. But I think these 30 pages were more important than the addition made by the Railway Board. The other committee was Acworth Committee. In this Committee we had fairly good representation of every shade of opinion. There were a number of dissenting minutes but on the whole the report is very good. We require some committee of this kind to consider all these matters and we must have a really first class Railway financial expert—never mind where you have to get him from, even from Mars if necessary—but we must have a really first class man to give us advice on railway finance, because I know that there are people in this country who may understand something about it, but Railway Finance has never been the subject of study anywhere. Therefore any help we can get from outside we ought to accept. The committee should be associated with experts, official and non-official I should like however to condemn one type of report and I hope he will

[Dr. Sir Zia Uddin Ahmad]

not follow that line, and that is the report of committees which they usually appoint in the Railway Board, consisting of a few of their officers, with an outside expert as chairman. But the report of a committee consisting of departmental officers with an outside expert as Chairman is an essay valuable to students or railway economics. The departmental officers get a certificate from the expert who is not acquainted with Indian conditions and who acts as a mouth-piece of the department to convince the Government in favour of their own proposals. I do not want a committee of this kind, as it really backs up the departmental views. We want a substantial committee who will formulate opinions on all the points I have mentioned.

As regards strategic lines, I wish this question is solved once for all. Here is a thing always put in the General Budget. Our contribution is one per cent. of the capital at charge, but here it is debited as 221 lakhs of rupees. This amount should be debited to Military budget or the so called strategic lines should be absorbed in general Railways.

An Honourable Member: He is not a mathematical genius.

Mr. President: I must remind the Honourable Member that he has only two minutes more to make up his fifteen minutes.

Dr. Sir Zia Uddin Ahmad: Then I will leave the matter for the present.

Then about appeals, they have been saying all the time that there must be persons of judicial mind appointed to listen to the appeals, attached to the Railway Board and to the General Managers. This has not been done, and I think the railway servants do not get fair justice because their appeals are not properly attended to.

As regards engines I was rather surprised in the list given to us that no addition of new engines has been provided for, neither by manufacture in India nor by purchases outside. We require very badly locomotives and also wagons and it is very desirable that additions should be made not only to our wagons and coaches but also to the locomotives In the figure before me I see no addition to engines.

The Honourable Sir Edward Benthall: Would the Honourable Member like to import more engines?

Dr. Sir Zia Uddin Ahmad: I want more engines, preferably made in this country, if not import them If there is delay I do not want that traffic should be handicapped for want of engines. Import them if we really want more. They could not be imported during the past years on account of the war difficulties and the need for making munitions but now things have changed. (*An Honourable Member*: "There are more engines now"). I think it is very desirable that we should have more engines and more rolling stock. My final words would be—increase your rolling stock, increase your track and increase your traffic and pay your servants well so that they have contented life. With these words I resume my seat.

Mr. Frank R. Anthony (Nominated Non-Official): Mr. President, I am glad I have at last caught your eye and got an opportunity of speaking on the Railway Budget. Up to now I have not heard a single word from any one which is connected even remotely with the condition of the railway worker. This is rather an amazing lacuna in this debate. Nobody is more sensible than I am of the appalling conditions under which the travelling public and particularly the third class travellers have had to travel under war time conditions but I would ask the House to consider before we indulge in any facile or over-ready criticism of the Railways the appalling disabilities under which the railways have had to operate in a period of unprecedented strain, suddenly imposed on them. The War Transport Member has had to face the most tremendous and unprecedented disabilities. In 1939 those of us who knew were aware that the rolling stock of the railways was not only inadequate but was completely

outworn. And yet immediately on the outbreak of hostilities, with their inadequate rolling stock, the railways had to carry an unprecedented War strain. The least we can do here is to express our appreciation of the vital work done by the railway worker. I am sorry the War Transport Member is not here. I would like to congratulate him, not entirely personally.

[At this stage the Honourable the War Transport Member entered the Chamber.]

The War Transport Member appears surprised, he is not used to congratulations from me. When I contratulate him I feel that I am also congratulating those people whose services are not usually appreciated—the ordinary railway workers. I do not want to hand unnecessary bouquets to the Railway Administration or the Railway Board. I believe on some occasions they are intensely stubborn and even stupid and very often unnecessarily intransigent. But I feel the War Transport Member must have presented his first Victory budget under a sense of gratification, if not under a sense of elation. He did have to face a tremendous task and I think he will be the first to pay tribute to the fact that that accomplishment was due entirely to the work of the ordinary railway worker. Today I would ask him to consider the needs of the ordinary railway worker but for whose toil and sweat I do not think the Railways could have carried on for more than a week, your railways which represented, literally the wheels of India's war machine.

I do not propose to engage in any analysis of the rather astronomical figures that have been indulged in nor shall I dabble in high finance. I am, today, concerned with the most important problem facing the Railway administration, the problem of railway labour. I expect the War Transport Member is aware of the extent to which there is serious unrest among railwaymen on every railway throughout India. I represent about 30,000 railwaymen. Even I was not aware of the widespread and deepseated extent of this unrest. A few weeks back I made a very widespread tour of the whole of South India. I realised then what serious unrest there was on all sections of the different railways. I would tell the War Transport Member that there is every reason for this unrest and I would ask him to re-orient the complex and outlook of the Railway Board in dealing with the requests of the Railwaymen. Today railway labour is prepared, and I say this without any qualification, to join any movement, however extreme, if it feels that it cannot otherwise get redress for its legitimate grievance. I speak for the saner and more balanced section of the railwaymen when I make an appeal to the War Transport Member to accept the reasonable requests of people like myself, because unless you accede to requests of people like us who do not strike or destroy merely for the sake of striking or destroying the time will come in the not distant future when you will be forced to concede these demands. You will drive your best workers into the arms of every extremist union in this country. You will then be forced to accept uncompromising demands: you will be forced to give much more than what we are asking, you will be forced to give gracelessly much more than what we are now asking you to give gracefully. The bitter discontent that you find in the Railways today is quite justified, because the railway employee in the lower strata is being sweated and exploited. This is not merely a figure of speech or hyperbole. I am talking from personal experience. I know that members of my community who have got a reasonable degree of education, who have studied up to the matriculation or school certificate standard and who have joined the military railway operating units, who have qualified after four years of war as first class drivers have come back and they have been offered by way of civilian rehabilitation, employment on 6 annas a day. If you don't expect bitter resentment and reaction against this, I don't know what you can expect. This is an absolute fact. I know that on the South Indian Railway people who have studied up to the high school have come back from the army with certificates as first class drivers are being offered re-employment at 6 annas and 8 annas a day. And I am prepared to supply facts, to this effect, to the War Transport Member.

The Honourable Sir Edward Benthall: That is exclusive of dearness allowance and foodgrain concessions.

Mr. Frank B. Anthony: Still it is 6 annas or 8 annas a day as a basic wage.

The Honourable Sir Edward Benthall: They get three times the salary inclusive of these concessions. The Honourable Member is giving misleading figures.

Mr. Frank B. Anthony: I hope the War Transport Member will not defend the present policy of sweating railway labour. Take the case of an Anglo-Indian who has studied up to the school certificate class. What do you offer in England to an Englishman who has gone up to the school certificate or the London matriculation standard. Do you offer him the equivalent of 8 d. or 9 d., together with foodgrains and dearness allowance. No, you do not. I would ask you to approach this matter in a mood of reasonableness. Don't perpetuate what is rightly regarded as the deliberate exploitation of the lower cadres of labour in this country. It is the source of the most bitter resentment and if you insist on it, you will reap a whirlwind of discontent. In this connection I would like to make a reference to the undue insistence by Railways on what I regard as an unnecessarily high academic qualification. I am not one of those who believe that you should place a premium on ignorance, but at the same time, I do wish that you should not be overborne to the other extreme of making a fetish of academic qualifications. The Railways often advertise for posts carrying a starting salary of Rs. 40; the advertisement further states graduates only may apply. The whole thing is utterly absurd; How many of your European Railway officers would qualify under these advertisements, for a job on Rs. 40 a month? I do not say that they are not good officers. Surely, a degree is not a precondition to administrative ability or integrity. But why do you make it necessary for a man to have a degree to get a job on Rs. 40 in the railways? Why do you make it incumbent on a man to produce a school certificate or a matriculation certificate before he can be employed as a fireman? The fact of the matter is that these academic qualifications are no guarantee of the ability or integrity of the man who possesses these certificates. In the past you have not insisted on them. Within the last few years, however, you have introduced this policy of undue insistence on academic qualifications. For the Imperial Police, you recruit people in England who have passed the London Matriculation examination. By the same token, you ask a man in India who has passed an equivalent examination to accept the job of a fireman on Rs. 40 or Rs. 50 a month.

4 P. M.

In this connection, Sir, I do not know what my Honourable friends the leaders of the Railway Unions think, but I would ask the Railway administration seriously to consider the restoration of the pre-1931 scales of pay. I know you will say and you will have some justification for saying that all these will lead to tremendous financial implications which you may not be able to meet. But in 1931, we were in the throes of one of the worst depressions: the cost of living had come down and living conditions had reached rock bottom and as a result of that, you introduced those revised scales of pay. But those revised scales of pay are completely out of time, with completely inappropriate as compared with the tremendous rise in the cost of living which does not seem to show any signs of going down. I believe the Posts and Telegraphs Department is considering the restoration of the pre-1931 level of scales of pay. *Pari passu*, I think every other Department of the Government of India, should address itself to similar considerations. I am glad that all the Railways have come under state management, because I believe that will now give you an opportunity, long overdue opportunity, of introducing uniform conditions with regard to pay, with regard to allowances and with regard to leave. The Honourable Member for War Transport perhaps knows as well as I do that these conditions vary very considerably from railway to railway. I know that he has argued very often that these variations are determined by the difference in the local conditions of living. But, I say, Sir, this is a very unsubstantial and very unconvincing argument. All the people serve the same administration, they do the same kind of work, they have the same qualifications, they naturally expect the same conditions of service.

Mr. President: I hope the Honourable Member will bring his remarks to a conclusion soon.

Mr. Frank R. Anthony: I shall do so as soon as I can. I should like to have ventilated many more grievances.

I should now like to refer to the very obsolete provisions of the State Railways Establishment Code concerning removal, enquiries and appeals. The Railways are the one Branch of the Government administration which in the matter of removal, appeals and enquiries insist on perpetuating rules which are a relic of a primitive period. Under these Rules, no railway man has any security of service. I hope I will have a chance of elaborating this on another occasion. Another matter which I should like you to address yourself to, is the rampant abuse today of the principle of selection. It is a salutary principle if worked properly, but the way in which you work this principle has opened the flood gates of nepotism and has created the greatest resentment in the minds of railwaymen in general.

Finally, Sir, I would remind the Honourable Member for War Transport that he, in common, with the administration is pledged to grant re-employment up to the extent of 70 per cent. to ex-soldiers. I, for one, would take a very poor view, to say the very least, apart from any other action I may take, if any attempt is made on the part of Government, as a result of pressure by Unions—I do not care whom—to resile from this promise. These men have rendered a very vital service to the country. You have promised that you will re-employ them to the extent of 70 per cent. I hope you will fulfil that promise and not go back upon it.

Mr President: Before I call upon the Honourable Member, Mr. Satyapriya Banerjee to speak, I would request him to finish his speech within ten minutes. I propose to call on the Railway Member to reply at quarter past four.

Sree. Satyapriya Banerjee (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, if I rise to speak at this fag end of the debate, I do so not to praise the Honourable the War Transport Member, but to bury him, although Mr. Griffiths the leader of the European Group tried in a very vigourous speech to praise him. I have heard with interest and attention and also read the speech which he delivered the other day, but if I may permit myself the use of an extravagant metaphor I am constrained to say that his speech is like darkness attempting to illuminate light and it is no wonder, Sir, because darkness reigns supreme in the whole railway system throughout the length and breadth of the country, darkness on the platform, darkness in the compartments, darkness in the lavatories and darkness everywhere. Therefore, Sir, it was darkness that was trying to illuminate light. His speech contained pious wishes, extravagant promises but very little faithful performances. I say extravagant because the picture that he gave before us regarding third class coaches was nothing but extravagant and I say very little faithful performances, performances which should have gone a great way to appease discontent that is prevailing throughout the country. Much has been made out of the fact that state acquisition by Government of all major railways has been achieved. They say railways have been nationalised but the most important thing that matters—the only thing that counts—still remains to be done, *viz*, the Government and the Railway Board have not yet been nationalised because the Government of India and its subordinate body, the Railway Board, responsible for the administration of the Railways, are tied to the imperialist yoke in Great Britain and are, so far as the matter is concerned, guilty of political nepotism and motivated by capitalistic greed.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)]

It is said again that the railways are a business concern, an industrial undertaking. Quite so. But what is more, it is an instrument for service, service to the traders, to the passengers, service to the consumers and service in the form of employment to the common man. And I speak on this budget only with reference to the common man. The common man has been altogether forgotten by the Honourable Member in charge of Railways. Since the days of

[Sree Satyapriya Banerjee.]

the Acworth Committee the amenities of the third class passengers have been continuously and systematically neglected, and the result is that there is overcrowding on the platform, overcrowding in the compartments, want of bathing facilities, want of provision for adequate catering, want of shades and waiting rooms on the platform etc. and I have seen the scene of passengers sitting on the roof of the compartments and then having their journey through.

Sir, my time is very short and therefore I will confine myself to the demands of labour. As my Honourable friend Mr. Anthony has just remarked, the whole of the labour population on the railways is dissatisfied. They, it is frankly admitted, won the victory but they would also like to win the peace, but the Honourable the Transport Member stands in the way. He has held out before them the prospect of starvation by sacking them. What they want is, no retrenchment, shorter hours of work and revision of scales of pay. They have through the Railwaymen's Federation submitted their grievances for redress and if you do not want to redress their grievances, put them before an adjudicator; you can have your case placed before him and the workers on their side can place their case before him and the whole thing can be thoroughly discussed and a decision agreeable to both the parties can be reached. But the Honourable Transport Member is perfectly silent. I on behalf of the Congress Party to which I have the honour to belong utter a note of warning that if there is a general strike on the Railways it will be as a result of the callousness of the Transport Member and the Railway Board and if they rise, they rise to meet the threat of starvation held out by the Transport Member, they rise because they feel they have reached the limit of human patience because they feel that obedience to the detested tyranny of Government means rebellion to the voice of conscience and progressive forces of society and history. Sir, human power is a trust for human benefit and if you abuse the power, revolt becomes justice and I may add, the bounden duty of the injured and the responsibility will be yours. With this note of warning I conclude.

The Honourable Sir Edward Benthall: Sir, it is always, I find, very difficult to reply to a debate of this sort. There have been, I suppose, a dozen speakers, each raising perhaps ten subjects; and in the short time at my disposal I must therefore endeavour to cover perhaps 120 points. Obviously it is impossible to do that with any satisfaction, and I will, therefore, try just to cover as many as I can,—those that particularly struck me,—and leave the others over for a further occasion. If I omit any points it is merely because I cannot cover them all, and I am afraid in consequence also anything that I say must be of rather a disjointed nature, and some of the points may perhaps be dealt with a little sketchily; but I will do my best to cover as many of the points that have been raised by Honourable Members as I can.

First of all I should like to make one general observation and that is to remark on the absence of comment on the financial proposals in the Budget as a whole. There has been in the last two or three hours extremely little comment on the financial aspects and from that I must conclude that, so far as those aspects are concerned, speakers have found it difficult to pick holes in the proposals put before them and that therefore, there is not a very great deal of dissent. There is, of course, a great deal of comment on various aspects of railway administration, and these are the points which I will particularly deal with in the first place, and then when coming to the end of my speech I will return to the financial aspects which seem to be most important.

The first point that I should like to make is in connection with the one raised by my Honourable friend from Calcutta, Mr. Muhammad Ismail, and it is a point which I should like once again to take an opportunity to scotch, because it is not only made by my Honourable friend but also by prominent persons outside. My Honourable friend remarked that during the 1943 famine in Calcutta luxuries were moving to Calcutta when trains might have been used for the movement of foodgrains.

Mr. Manu Subedar: What about race-horses?

The Honourable Sir Edward Benthall: I am very glad race-horses have been mentioned, because that is precisely the point upon which I wanted to touch. That point has been made by prominent persons outside and it was made by American Senators at the time in America in order to denigrate the administration here. Sir, the Woodhead report went carefully into this question and any one who has read it will appreciate that there is not one word of criticism or condemnation of the railways or the priority system for what happened in Bengal in 1943. That is a fact. The truth of the matter is that not one ton less of foodgrains moved to Calcutta, in spite of the fact that one railway was washed away.

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Sir, on a point of information, is it a fact that at Jessore railway station huge loads of rice were stacked and could not be moved to the affected areas for want of transport workers?

The Honourable Sir Edward Benthall: I will answer that now. That rice was under the control of the local administration and its movement was not then required by them. That was gone into here at great length at the time. But to revert to the problem as a whole, the railways at that time moved all the grain that was necessary into Calcutta and it was the difficulty of moving it on and distributing it locally which caused the trouble; but that was in no way the fault of the railways. As regards the movement of horses, horses which moved in horse-boxes on parcels trains and passenger trains, it made no difference whatsoever to the movement of foodgrains. As I said, not one ton less moved into Calcutta on that account, and precisely the same conditions prevail today. As I said in 1942, soon after taking over, the people's food is a matter of the highest priority with us and if it is offered for movement, it will be moved. In the difficult times before us the people's food will have the highest priority and the railways will move it.

My Honourable friend, Mr. Ayyangar, and the Deputy President made a point that India should, as far as possible, be self-sufficient in the construction of engines, wagons, coaches and all other stores required by the railways. They made the point that before the War there used to be seasonal shortage of wagons, and I think they enquired whether we had enough wagons now, and whether the wagon capacity of the country is adequate for our requirements. In our opinion, the wagon capacity of the country which is now 800 wagons a month is adequate for our requirements, and for next year, owing to the number which are coming forward from outside, we did not think it necessary to place orders for more than about 4100 general service wagons. But more than that could be placed on the industry and if it were necessary to get more, I think the industry could certainly tackle them as they have tackled them during the war. I think you can take it that the country is self-supporting in wagons.

One of the problems which we had to consider immediately on the cessation of the war was whether to cancel orders for the Canadian and United Kingdom wagons which we had ordered. It was tempting to try to do so, but we did not do so for two reasons. First of all, construction of the wagons had proceeded so far that the cancellation charges would have been very heavy and, secondly, we took the view that there was quite a probability that if post-war plans of industrial and other expansion which were in hand materialized, then we should require those wagons and, as it has turned out, that has been fully justified. We have allowed those wagons to come forward and the congestion of traffic just at the moment, which is the busy season, is such that we can do with every one of them.

Sri M. Ananthasayanam Ayyangar: The Honourable Member may know what percentage of goods traffic will go down next year.

The Honourable Sir Edward Benthall: I wish I could tell the Honourable Member. It is largely a matter of guess work, but I will come to the traffic position again in a minute.

[Sir Edward Benthall]

On the subject of engines, I was asked for details of the dates of production, and the number of engines which we shall require and the numbers which the projected workshops would turn out. As to the number, we shall need round about 200 engines per year, broad and metre gauge; I think the proportion is about 160 broad and 40 metre gauge—any way about 200 in all. It is proposed that the Kanchrapara works will turn out 80 and singbhum works in the initial stages of plan will turn out 50, making a total of 130, and, as I said in reply to a question, the question of the initiation and location of a third shop will depend upon a number of factors such as the degree to which we go in for electrification, because we could not in the first place build electric locomotives in this country, and the extent to which we go in for Diesel engines. Taking these factors into account and also the fact that the Singbhum works at Tatanagar may be able to build another 30, it is probably best for the time being not to start on the third works until we can see more clearly what our precise requirements will be, and what we are likely to get out of the two projected works.

Sri M. Ananthasayanam Ayyangar: Cannot the Ajmer works be improved?

The Honourable Sir Edward Benthall: In Ajmer works we are turning out 20 XT locomotives for the North-Western Railway—tank locomotives—but the Ajmer Works, as they exist at present, are not really suitable for the building of locomotives other than in what I may call 'job lots'.

As regards the time when these locomotives may be expected, the arrangement with Tatas is that they are expected, to produce blue-prints of the locomotive construction works by October 1946 and their delivery date for engines is two years after that. As in the case of the Tata works, all the machinery for Kanchrapara works will not arrive until 1948. Part construction of locomotives can go on in the meantime, but we cannot expect any production until say at the end of 1948 or 1949. At Kanchrapara, as I just mentioned in my budget speech, there are difficulties in getting ahead because of the heavy programme of permanent overhauls which are necessary owing to the heavy amount of work which has fallen on the engines, particularly on that line, during the war. We have got to arrange for the overhaul of locomotives and the construction of new locomotives to go on at the same time and it is obviously necessary at the present moment not to lose time on the overhaul of the over-worked engines which have been strained in the war.

Sri M. Ananthasayanam Ayyangar: We wanted to know what the estimated cost of Kanchrapara workshop will be when it is completed.

The Honourable Sir Edward Benthall: I will find out, but I shall require notice of that.

My Honourable friend, Mr. Ayyangar, suggested that we should acquire new coal fields and make the railways entirely self-sufficient in coal. That I think is also a recommendation of the Standing Finance Committee It is of course one that we will go into, but it is obviously one which requires a great deal of consideration because it will have a most serious affect on the coal trade as a whole. The Deputy President of the House suggested that high coal prices were fixed for the benefit of the large collieries. The coal prices are not fixed by the Railway Board; they are fixed by Government as a whole, and what I wished to convey in my budget speech was that while we naturally want to see coal prices come down, we want to see them come down gradually and we do not want to force them down to starvation levels, such as existed before the war, which resulted in forcing collieries to work uneconomically to the detriment of the coal position of the country. The result of that policy showed up in the war when we had great difficulty in meeting the coal requirements of the country. But the whole coal policy of the Government is on the anvil. A coal committee has been set up to go into all these questions, and I do not think one can properly settle either the colliery ownership problem or the price problem until that committee has reported.

Several Members suggested that the catering position needed overhauling and that it ought to be done departmentally. That is also, I think, the recommendation of the Standing Finance Committee. I am not quite clear whether all the speakers today or the Standing Finance Committee intended to refer also to vendors on stations and vendors of aerated waters and so on.

Sri M. Ananthasayanam Ayyangar: It includes everything.

The Honourable Sir Edward Benthall: It includes everybody. I do not think I need deal with that here in detail because that is one of the subjects I had in mind for discussion on the Central Advisory Council for Railways on which of course the Standing Finance Committee Members sit. So the Committee of the House will have an opportunity of examining that question as thoroughly as they wish.

I do not think I need dwell at length at the moment on the question of railroad co-ordination. I was extremely interested in Mr. Ayyangar's opening speech on the subject in which he made it perfectly clear that his policy, the policy for which he stood and I presume also his Party, was provincial nationalisation. That is provincial ownership of road transport. That of course is quite a different policy to the one his Party agreed to last year, and I do not think I need go into it further because I understand it will come up in a cut motion in the next few days and it will be better to review the thing thoroughly on that rather than deal with it piecemeal today.

Several speakers touched on the question of the undertaking by Government to find openings in the railways for ex-servicemen. That undertaking was given not by the Railway Department only but by Government as a whole way back in the early days of the war as an encouragement to recruitment and in order, from the point of view of justice, that men who might have taken jobs in the railways or in other departments of Government should not be debarred from doing so at the end of the war by the fact that someone who did not go to the war had slipped into their place. Well, it seems to me a perfectly sound line for Government to take and perfectly just to the soldiers and I was very glad to hear Mr. Anthony saying so. But of course it does create difficulties for us in the Railway Department and it creates difficulty for the railwaymen. As I have often said, I consider the railwaymen have done an extremely good war job and it is difficult to ask them to give way to soldiers. But I do not look at it quite so gloomily as that for two reasons. First of all in the course of the war, no less than 145,000 railwaymen became soldiers. They joined the Defence of India Units and became military men and therefore qualified as soldiers for employment in the railways as soldiers. (Interruption.)

Mr. Deputy President (Sir Mohammad Yamin Khan): Order, order. The Honourable Member should not disturb the House.

The Honourable Sir Edward Benthall: I think on the whole I had better not go into the details of it. They would take some time but, in brief, there is a good chance of perhaps 25,000 such men, one way or another finding employment in the railways against the 77,000 permanent posts which we filled during the war. That the whole of the 77,000 posts cannot be filled is obvious because while the 77,000 permanent posts which were filled temporarily during the war are spread all over India, the Defence of India Units were concentrated only in Bengal and Southern India. As a rule men who work on the railways in Bengal would not be willing to go to other provinces to find work and that is a limiting factor in transferring men who have served in the Defence of India Units as soldiers to the railways in other parts of India.

Mr. Griffiths said: How do you propose to absorb all these men and prevent unemployment? Well, the main answer is by two means: keep up the traffic and get busy with rehabilitation. Today as it happens I have just received the traffic review of the position in the middle of February. The position today is that the railways as regards the movement of freight are just as busy as they have ever been. We are actually moving three per cent. more traffic than last

[Sir Edward Benthall]

year: take the North Western Railway; in January 1946 they loaded 96,760 wagons, *i.e.*, 3,121 wagons a day, compared with 89,000 or 2,871 wagons a day last year. The same applies to the G. I. P. Railway. There are traffic difficulties on the East Indian Railway otherwise the figures would be higher. Generally speaking, the position to-day is that more goods traffic is moving than before and that is due to the movement of various high priority traffic such as coal, foodgrains and so on. The coal target at nearly 3,200 wagons per day from the Bengal and Bihar coalfields is the highest target we have set ourselves since I have been out here. The result of the pressure of this high priority traffic is that low priority traffic is bound to suffer and that is why certain of the commodities to which my friend Sir Yamin Khan referred, *e.g.*, hides and glassware and cottage industries are, I think, suffering at the moment. That is why it is necessary to keep on priority control to ensure that it is the most essential goods which move. But if that high rate of traffic continues and a high rate of passenger traffic continues then it is obvious that the traffic staff should be very fully employed.

As regards rehabilitation I think there is little doubt that all the shop labour will be brought into full employment for some years to come in various classes of rehabilitation work. As regards construction, the position is a little difficult, because you do not require the station master or the traffic officer until the railway is opened, so that the employment there will be rather of labouring classes and less in the way of trained railway men.

Mr. Anthony said that we must pay attention to the legitimate grievances and the reasonable requests of such moderate people like himself. He asked for increase in the lowest grades, particularly on the South Indian Railway and for a reconsideration of the revised scales of pay. Mr. Griffiths said that he would like to know a little more about the new Commission which is going to examine such problems. I would point out to Mr Anthony that all these problems have for sometime been under consideration in the railways and will now come under the full and proper consideration of this new commission. But I cannot tell Mr. Griffiths more about the nature of that commission, because it is a question which, I think, he should address to the Finance Department, who will be dealing with it, as it is a commission which covers all departments

Several questions were asked about postwar plans and in particular about carriages or coaches for third class travel. I said that I could not produce these coaches by the wave of a magic wand and that is a fact. But my Honourable friend, Miss Lara, who spoke so eloquently and sincerely suggested that that is perhaps a programme which might never materialise. This programme which I have set out in some detail in my budget speech is a definite programme to which we hope to adhere and we hope to commence as soon as ever we can. We have altogether on the broad gauge 9,970 bogie coaches and 2,730 four wheelers. The programme involves building 820 broad and metre gauge coaches a year costing about four crores of rupees. This yearly programme is to replace old coaches over a period of 13 or 14 years. The programme exceeds the capacity of the Railway workshops as they exist today and therefore it will be necessary either to increase the building capacity of the railway workshops or to place orders outside with engineering works. In this connection I might mention that we are endeavouring to get sample coaches of all-metal construction built outside. Before we can place large bulk orders for them, we have to carry out destruction tests to see that they will stand up to the work. It might be argued: why do we spread the programme over such a long period of 13 or 14 years? The answer is of course if you set up additional capacity to build double that number of coaches every year, you will finish it in six years after which the shops will be out of work, which is not a very sensible programme. On the other hand it seems a more sensible course to try and build them in this country over a longer period and during that period to provide steady work for the workers. But that programme of construction

will commence as soon as ever we can. In fact it is commencing on the new underframes which we are getting from Australia and on such frames as we have got in the shops, although those that are being turned out at the present moment are not of the latest pattern which I described in my budget speech.

My Honourable friend Miss Kara thought that our budget was rather humdrum and not sufficiently expansionist and that we ought to push our railways into the villages. As I explained last year, it is my belief that pushing out into the villages should on the whole be done by roads, by lorries and buses rather than by branch lines. That does not mean that there are not many places where branch lines are necessary but I think the main expansion of transport in India in the next few years is likely to come and should come, on the roads.

As regards passenger traffic, I must say that the unfavourable experiences of my Honourable friends, the Maharajkumar of Vizianagaram and the Raja Bahadur of Khallikote (they seem apparently to travel in the third class) were harrowing. I must say that I could not quite understand why my Honourable friend the Raja Bahadur said that it did not matter whether there was a mirror or not in the bath room, because there was no water. Perhaps he likes admiring himself in a mirror while having a bath. After hearing his experiences I wondered why he did not stay at home! My friend, who is now sitting in the Deputy President's seat, said that there has been no improvement in transport since the war ended. That is not correct. There are now 39,000 more train miles every day.

Raja Bahadur of Khallikota: I was referring to the Bengal Nagpur Railway.

The Honourable Sir Edward Benthall: Even there we have added extra trains.

Somebody asked what has happened to the military coaches, where are they, are they in India or have they gone abroad? The answer is that they are here in this country, that they are still being used by the military for repatriation and demobilisation.

An Honourable Member: The Kashmir Special still goes from Calcutta to Kashmir.

The Honourable Sir Edward Benthall: It goes from Calcutta to Rawalpindi, taking the soldiers back to their homes. Repatriation is going on at the rate of 50,000 a month and the demobilisation figures are much greater. It is obvious that to cope with this volume of work there must be special trains. That is why we have not got the stock back. We shall not get them back in large quantity till after the end of April and thereafter we hope to get them back steadily and we shall put them on to trains as soon as we can get the stock back and of course renovated for civilian use.

A number of remarks were made about the cleaning of carriages and the suggestion was made that the war should no longer be made an excuse for failure to improve matters. The difficulty in the problem of cleaning the carriages is accentuated by the shortage of carriages. When you have got a limited amount of stock you have to run it as often as you can and you cannot keep it at the termini for the purpose of cleaning. Nor, when the train is running full, can you ask the passengers to get down so that the carriages might be cleaned. It is extremely difficult in passenger trains in times of congestion to get the cleanliness, but it has, I think, improved. Turning now to the European cockroaches, we have made special efforts to increase the quantity of D.D.T. which is now becoming commercially available in considerable quantities. We have got a Medical Committee sitting on the use of these disinfectants and studying them scientifically. We believe that impregnation of paint with D.D.T. will help keep these insects under control.

The point was also made by one or two speakers that we should endeavour to control crowds. Well, a certain amount of course is done, as for instance Howrah station, at the booking offices and so on. But I think getting the queue habit is really a question of education, if I may say so. I believe that in Bombay there has been a very considerable development of the queue habit in

[Sir Edward Benthall]

the war, and if you could persuade people to adopt it, it would be a solution of the problem. But you cannot enforce it because, if you instal barriers or turnstiles, you generally get complaints made to or by the local advisory committees.

As regards lighting I have not time to give figures, but we are now definitely getting fresh supplies of bulbs although we were a lakh and a quarter short last year. We hope if everything comes forward, as it should, we should be definitely on the right side this year. People ask, I think the Honourable Member from Assam asked, why it is so bad up there. The answer is on the B. A. Railway, whereas before the war we used to replace a thousand bulbs for every thousand in use, that is instead of replacing once a year, we have now to replace some twelve times in the year and that because they are stolen. That is the worst affected area.

I would now like to touch on the financial questions. Sir, you said that we are faced all of a sudden with a decline in our receipts of Rs. 48 crores. I submit there was no question of "all of a sudden" because two years ago I clearly indicated that with the slowing down of military traffic there was bound to be a fall of very serious dimensions. But I agree with you, Sir, that if we are not careful and if the tendency were to go on, we might find ourselves in a few years time back where we were five years ago in our finance. And one of the main objects of my Budget speech was to emphasise the point which you, Sir, made that our finances do stand now at a very critical stage. I believe that the betterment fund which we are creating is a sound method because it enables the Railway Board to have certain funds which it knows it will be able to spend, and the Board also knows it will be able to plan ahead and not merely plan from year to year. As regards the depreciation fund my friend, Sir Ziauddin, considers that it is too much and my friend, Mr. Vadilal Lallubhai says it is too little. Who shall decide when such experts disagree? We think that the depreciation fund is by no means too great and in fact it will rather be insufficient for replacements in the next few years.

I must rub in once more what I think to be the main lesson of this budget. We now have got to come out of the cloud land in which we have been living in the war and have to get down to very hard realities. Somebody said this budget is a signal of contraction and a warning. It should, I think, be a warning to warm-hearted members who want greater amenities for labour and for third-class passengers and for everybody else. The budget figures show what funds we are likely to have available in the future. I shall mention in very round figures what the demands of the All-India Railwaymen's Federation would mean in terms of crores. If we agreed to the demands which were made at their Moghulserai meeting at the end of November, we should require Rs. 57 crores per annum more to meet the scales of pay which they demand and another Rs. 21 crores to meet the additional dearness allowance which they ask for. In other words the figures which they asked for in November amount to an additional Rs. 78 crores. Where is this to come from? I do not think those demands were really serious. Certainly if he had been in possession of the budget figures which he is now in possession of, no responsible leader could put them forward unless he was prepared to demand simultaneously a very substantial increase in the rates and fares. And that, Sir, is what it boils down to. If you are going to be generous to the railway staff, then the public have got to pay for it either in the form of increased rates or increased fares. It seems to me that the logic of what I said in the closing pages of my budget speech can lead to no other conclusion; and therefore, Sir, when Honourable Members are considering these matters I hope they will make their own calculations and see whether what I have said does not give in fact a true picture of the very serious problems which we are now facing. If I have been successful in getting that one point home, then I think that will be something achieved in my budget speech. Sir, I have finished.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 21st February, 1946.

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LEGISLATIVE ASSEMBLY DEBATES

THURSDAY, 21st FEBRUARY, 1946

Vol. II—No. 7

OFFICIAL REPORT

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LEGISLATIVE ASSEMBLY

Thursday, 21st February, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

*STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

CONGRESS RESPONSIBILITY FOR AUGUST DISTURBANCES

411 ***Mr. P. B. Gole:** Will the Honourable the Home Member consider the question of appointing a Committee consisting of elected non-official members of both the Houses to inquire into and ascertain whether the several statements made in the booklet entitled "Congress responsibility for August disturbances" published by the Government of India were justified and correct in view of specific denials by Mahatma Gandhi and other responsible Congress leaders?

The Honourable Sir John Thorne: Government do not propose to appoint a committee for this purpose.

Seth Govind Das: Is it a fact that the disturbances which happened in 1942 were due to the atrocities of the Police and Military in various provinces and places?

The Honourable Sir John Thorne: No, Sir

Shri D. P. Karmarkar: May I know whether the Honourable Member agrees that the primary responsibility for the August disturbances lies heavily on the head of the Government of India who started the whole affair by arresting wantonly the leaders of India?

The Honourable Sir John Thorne: No, Sir

DETENUS BEFORE AND AFTER DECLARATION OF HOSTILITIES

412. ***Mr. P. B. Gole:** Will the Honourable the Home Member please state.

(a) the number of detenus under Regulation III of 1818 Bengal before the declaration of hostilities in 1939; and

(b) the number of detenus still under detention both under the said Regulation and under the Defence of India Rules after 1939?

The Honourable Sir John Thorne: (a) and (b). I can answer duly for persons restricted or detained under orders of the Central Government. The figures asked for are:

(i) Under Bengal Regulation III of 1818—

on the 30th June 1939	41
on the 15th February 1946	34

All except one of the total on each date are Afghans, detained under orders of the External Affairs Department.

(ii) Under the Restriction and Detention Ordinance (No. III of 1944)—

on the 15th February 1946	3

Shri Sri Prakasa: Would the Honourable Member give us an idea of the nature of the charges against all these persons who are detained under Regulation III?

The Honourable Sir John Thorne: All except one are detained under the orders of the External Affairs Department and the question should be addressed to the Secretary of that Department. The one exception is the *ex*-Rana of

Bajji, the reasons for whose detention are rather complicated but if the Honourable Member wants them I shall be glad to give them to him.

Diwan Chaman Lall: May I point out that the *ex*-Rana of Bajji is just as sane as my Honourable friend over there?

The Honourable Sir John Thorne: I am no judge of my own sanity, Sir.

Prof. N. G. Ranga: With regard to the orders of the External Affairs Department, does the Executive Council come at any time into the picture? Is it at all consulted?

The Honourable Sir John Thorne: That question must be addressed to the officer of the Department concerned.

Diwan Chaman Lall: May I ask whether the Honourable Member is prepared to let this House know what are the exact charges against the Afghan detenus?

The Honourable Sir John Thorne: That again must be addressed to the officer of the Department concerned.

Diwan Chaman Lall: Is it that the right hand does not know what the left hand does?

The Honourable Sir John Thorne: The right hand cannot do the work of the left hand.

SUPERANNUATED I.C.S. MEN (BRITISH PERSONNEL) IN SERVICE

413. *Mr. Manu Subedar: (a) Will the Honourable the Home Member please state how many Indian Civil Service men (British personnel) were given an extension of service or were taken on special duty during the war?

(b) How many of them are still continuing in service?

(c) What are their emoluments?

(d) What is the office which they are occupying, and what is the work which they are doing?

The Honourable Sir John Thorne: (a) to (d) The number of British Indian Civil Service officers who during the war were granted extensions of service or employed on special duty under the Government of India after superannuation is 10. A statement giving the information required in respect of such of those officers as are still in service is laid on the table of the House.

Information regarding the number of such officers employed by Provincial Governments is not available.

extension or service or were taken on special duty after retirement during the war,

Department or Office	(a)		(b)	(c)	(d)	
	No. of officers who were given an extension of service	No. of officers who were taken on special duty etc. after retirement	No. of officers still continuing in service	Their names and emoluments	The office they are occupying	The work they are doing
	2	3	4	5	6	7
War Department . . .	*Nil*	3	1	Sir Malcolm Darling. Pay Rs. 2,890 plus pension which is paid by the Punjab Government.	Officer on Special Duty (Colonisation).	Drawing up schemes for resettlement of ex-servicemen on land.
Home Department . .	*Nil*	1	*Nil*	...	...	...
War Transport Deyartment .	1	*Nil*	1	Mr. W. C. Dible. Rs. 3,500 p. m.	Chairman of the Road Lands Committee.	Examining the question of land and land acquisition in relation to post-war land development schemes.
Federal Public Service Commission.	*Nil*	1	1	Mr. N. J. Roughton. Rs. 3,500 p. m. (inclusive of pension).	Additional officer of the F. P. S. C.	Post-war recruitment to the I. C. S., I. P. and Central and Provincial Services.

1	2	3	4	5	6	7
Finance Department . .	*Nil*	1	1	Sir Alan Lloyd. Rs. 2,250 p. m.	Establishment Officer to the Government of India and Examiner of Capital Issues.	Selection and appointment of officers of the rank of Under Secretary and above in the Govt. of India Secretariat, Administration of the combined Finance and Commerce Department cadre, and control of Capital Issues.
Political Department . .	1	*Nil*	...	...	...	...
External Affairs Department	*Nil*	2	1	Sir Edmund Gibson. Pay Rs. 2,500 p. m. inclusive of pension, plus sumptuary allowance of Rs. 250 and house rent and compensatory allowance as admissible to Class I officers in Calcutta.	China Relations Officer, Calcutta.	Co-ordination of activities of the various organisations connected with the common war effort of India and China and the transport of war supplies to China. The post is being abolished with effect from 28th February 1946.

Mr. Manu Subedar: May I know whether Government will make an effort to send away these officials now and let the legitimate Indian successors of theirs take these places?

The Honourable Sir John Thorne: I have no doubt that each of these appointments is under review. Each of them is purely temporary and I have no reason to think that any of them will be continued beyond the time when it is considered necessary.

Mr. Manu Subedar: After the stoppage of hostilities, may I know whether Government have made a special inquiry as to the necessity for the continuation of the service of these superannuated British personnel?

The Honourable Sir John Thorne: There are 5 of these officers and I have no doubt that the case of each has been considered.

EXTENSIONS TO SUPERANNUATED PERSONNEL

414. *Mr. Manu Subedar: (a) Has the Honourable the Home Member got any special policy with regard to granting extensions to persons in Government service, or has he left it to the head of each Department?

(b) Is it a fact that a large number of persons were granted extensions for various reasons in every Department of Government?

(c) Have Government formulated any policy with regard to the future so far as this issue is concerned?

(d) Have they passed any orders since the stoppage of hostilities for the discontinuance of the policy of granting extensions?

(e) Are all cases of extensions granted beyond the normal period brought to the notice of and reviewed by, the Government of India? If so, what is the machinery for doing this?

(f) Is the Finance Department necessarily consulted on all occasions? If not, why not?

The Honourable Sir John Thorne: (a) and (b) Extensions of service after the date of superannuation are governed by Fundamental Rule 56. Such extensions are granted only on public grounds and in the interests of good administration.

In normal times extensions of service are granted only in exceptional cases. But owing to the ever-increasing shortage of officers during the war it was necessary to grant more extensions of service (or to re-employ more officers after retirement) than in normal times.

(c) The Government do not consider it necessary to formulate any policy other than that embodied in Fundamental Rule 56.

(d) Extensions of service are granted only in the public interests, and no further orders are necessary.

(e) Extensions of service are ordinarily granted for one year at a time, which means that such cases are in practice reviewed annually.

(f) Not necessarily.

Mr. Manu Subedar: May I know whether the Finance Department has been consulted on this, in view of the fact that the extension of service to a very senior man imposes a larger burden on the revenues of India than his being sent away and a junior successor coming in?

The Honourable Sir John Thorne: I think my friend can rest assured that if the Finance Department thought it was necessary that it should be consulted the other departments would have received instructions accordingly.

Prof. N. G. Ranga: Will the Government consider the advisability of no longer giving this facility to these superannuated officers and not extending their services?

The Honourable Sir John Thorne: I think I have answered that. My answer covered that.

Prof. N. G. Ranga: Does it mean that the Government of India are not going to extend the service of these gentlemen, now that the war is over?

The Honourable Sir John Thorne: The case of each gentleman will be considered individually.

Prof. N. G. Ranga: What is it that prevents the Government of India considering this as a matter of principle, so that they may be able to economise expenditure on these services?

The Honourable Sir John Thorne: The principle is clear. This course is adopted only in exceptional circumstances. There is no difference in principle now from the principle that was followed before the war. The difference is in the circumstances.

LIABILITIES OF GOVERNMENT OF INDIA *RE* DEFENCE WORKS, ETC.

415. *Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state the post-war liabilities in respect of Defence works and services and terminal charges incurred by the Government of India; which of these have been determined and which are still being carried forward in suspense accounts?

(b) The number and cost of capital works constructed during the war by the Government of India or by or on behalf of (i) His Majesty's Government and (ii) U.S.A. Government?

(c) What is the present position with regard to the capital works constructed by (i) His Majesty's Government and (ii) the U.S.A. Government?

(d) Will Government place in the Library a complete description of all capital works which were constructed, and what the present position is, *e.g.* whether retained, demolished, sold to the public, etc.?

(e) How many of these have stopped working?

(f) On what basis will the disposal take place?

(g) Have the Government of India accepted any settlement with regard to the moneys arising out of the realisation of works belonging to (i) the U.K. and (ii) the U.S.A.?

The Honourable Sir Archibald Rowlands: (a) No post-war liabilities in respect of Defence works and services have been incurred by the Government of India. Liabilities are charged either to His Majesty's Government or to India as they arise and are not taken to a suspense account.

(b) The number of capital works constructed during the war cannot readily be given. The cost of works built in India by or for the Defence Services is estimated at Rs. 364·5 crores and, of this Rs. 199·9 crores have been charged to India and Rs. 164·6 crores to His Majesty's Government; of the former, Rs. 43·9 crores represent works carried out for the United States Forces in India under Reciprocal Aid. A few works have been undertaken direct both by His Majesty's Government and the United States authorities chiefly in operation areas but I have no precise information at present as to their number or cost.

(c) The Government of India are contemplating taking over works constructed by His Majesty's Government and the United States Government in India.

(d) A list of major works with an indication of whether they have been or are being retained, demolished or sold will be furnished in due course

(e) Information is being collected.

(f) When a capital work is no longer required by the Central Government, an opportunity is first given to the Provincial Government or State concerned to acquire it at a price to be negotiated taking into account the cost of construction, current market values and the use to which the buildings are to be put. If the Provincial Government or State do not require the work it will be disposed of by sale to the best advantage of the State.

(g) (i) Any moneys so realised will go to reduce the sterling balances

(ii) It has been agreed that the proceeds will be paid in rupees against which United States Government expenditure in India can be met; any balance remaining will be the subject of negotiations which will take place later.

Mr. Mann Subedar: Arising out of the answer to the last part, may I know if Government have got any assurance that the U.S.A. Government will not use the rupee proceeds received in this manner for financing the normal operations of American purchase in this country?

The Honourable Sir Archibald Rowlands: Yes, Sir. It relates solely to Government expenditure.

Mr. Manu Subedar: With reference to part (c), may I know in what manner the capital works which will be acquired by India will be paid, so far as His Majesty's Government and the U.S.A. Government are concerned?

The Honourable Sir Archibald Rowlands: I have answered that question. I will repeat it. It really comes under the last question, that is to say, in relation to works taken over from His Majesty's Government, His Majesty's Government will be credited with the amount and they will automatically reduce the sterling balances and be treated in the way I have just indicated.

Mr. Manu Subedar: With reference to part (b) may I enquire on what basis this debit of 199 crores has taken place and why it has been debited to India when it was in the interest of the Allied Governments whose headquarters India had become?

The Honourable Sir Archibald Rowlands: As I have said in reply to the question, Rs. 439 crores represents reciprocal aid to the U.S.A., the balance represents works carried out for the defence of India.

High Denomination Notes

416. *Mr. Manu Subedar: Will the Honourable the Finance Member please state for the information of this House:

(i) the object of issuing Ordinance No. II of the 12th January, 1946, asking Banks to supply information with regard to their holdings of notes of high denomination, including Rs. 100;

(ii) total number of notes of each denomination held by Scheduled Banks on the date for which the returns were asked for; and

(iii) the total outstanding issue in the hands of the public of notes of each of the high denomination including Rs. 100?

The Honourable Sir Archibald Rowlands: (i) As a necessary prelude to Ordinance No. III of 1946

(ii) The relevant figures are

Rs. 100 notes		Rs. 12,56,70,800
Rs. 500 notes		Rs. 22,500
Rs. 1,000 notes		Rs. 7,39,75,000
Rs. 10,000 notes		Rs. 1,04,90,000
	Total	Rs. 21,01,58,300

I would, however, add that returns are still being received by the Bombay office of the Reserve Bank and the checking up of the returns has not yet been completed

(iii) The value of notes of denominations of Rs. 100 and above which were in circulation on 11th January 1946 was:

Rs. 100 notes		Rs. 501,37,82,600
Rs. 500 notes		Rs. 26,18,000
Rs. 1,000 notes		Rs. 1,19,70,11,000
Rs. 10,000 notes		Rs. 24,00,40,000
	Total	Rs. 6,45,34,51,600

Mr. Manu Subedar: In view of the very small figure of Rs. 100 notes which the Scheduled Banks were holding, namely about 12 crores out of a total of 501 crores outstanding, may I know why Government thought it proper to secure the return of Rs. 100 notes which destroyed the confidence of the public in these hundred rupee notes and in the currency generally throughout the country, and what were the reasons which induced the Government to do this?

The Honourable Sir Archibald Rowlands: I do not accept the hypothesis. The reasons were firstly because we did not know how much the Banks held and secondly it was to conceal the scope of Ordinance No. III.

Shri Sri Prakasa: In view of the fact that the Honourable Member said that the issue of this Ordinance was only a prelude to the Ordinance that succeeded about thousand rupee notes, may I know if the Honourable Member had made up his mind beforehand that he would issue the second Ordinance also when he issued the first one?

The Honourable Sir Archibald Rowlands: Obviously, it was issued within 24 hours of each other.

Shri Sri Prakasa: May I know why then the two were not issued together and what particular information reached the Honourable Member in these 24 hours because of which he finally decided to issue the second one?

The Honourable Sir Archibald Rowlands: The reason was that I wanted to avoid any possible hanky-panky of exchanging notes by individuals holding them with the banks. I wanted to know exactly how many notes the banks had on the closing day—Saturday.

Mr. Manu Subedar: May I know if Government have seen the criticisms that the main object of the first Ordinance and the subsequent Ordinance has not been achieved and that only the public have been put to enormous inconvenience?

The Honourable Sir Archibald Rowlands: I have seen the reports, but I do not accept them.

Shri Sri Prakasa: Is the Honourable Member sure that nothing that he described as hanky-panky took place, despite all his efforts?

The Honourable Sir Archibald Rowlands: I wish I could be quite sure that no hanky-panky took place, but I am quite sure that the scope for hanky-panky was very severely restricted by the second Ordinance.

Shri Sri Prakasa: What is the exact meaning of the expression 'hanky-panky'?

The Honourable Sir Archibald Rowlands: I am afraid I do not know the Hindi or the Urdu equivalent of that.

DEMONETISATION OF HIGH DENOMINATION BANK NOTES

417. *Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state the object of issuing Ordinance No. III, dated the 12th January, 1946, "to provide for the demonetisation of certain high denomination bank notes" ?

(b) What was the amount of each of the high denomination notes tendered and exchanged? (Please give information available with regard to different centres and with regard to different days on which the notes were so collected.)

(c) What arrangements have been made with regard to the Indian States for the application of the requirements of this Ordinance?

(d) What is the position with regard to notes which may be outside India?

(e) Have Government considered the inconvenience to the *bona fide* owners and do they propose to provide for exceptional cases where satisfactory explanation is forthcoming for the delay in exchanging high denomination notes on account of illness, absence from town, failure to locate the notes within the period, or any other satisfactory and *bona fide* reason?

The Honourable Sir Archibald Rowlands: (a) The objects were:

(1) to strike at the black marketeers;

(2) to rope in the tax-dodgers;

(3) to deprive of some of their ill-gotten gains the public servants who had betrayed their trust and to bring some of them to book;

(4) to check the unhealthy boosting of shares, which was taking place in certain sections of the market, to the enrichment of the speculator at the expense of the genuine investor;

(5) to bring under control a potential source of danger to sound monetary policy;

(6) to warn speculators, black marketeers, profiteers, the bribe-givers and the bribe-takers that, now that the war is over, Government intends to deal resolutely with them and to make it plain that Government will no longer tolerate their holding the community to ransom;

(7) to try and turn some of the hoarded money to productive use in the development of the country; and lastly, to fill in one of the many gaps in our statistical knowledge, and in this respect the Ordinance is complementary to the analysis which the Reserve Bank is undertaking of bank deposits.

(b) I place on the table a statement giving the information desired.

(c) At the instance of the Crown Representative practically all the Indian States have enacted legislation parallel to the British Indian Ordinance.

(d) I would invite attention to rule 6 of the High Denomination Bank Notes (Demonetisation) Rules, promulgated with the Finance Department Notification No. D. 535-F. III/46, dated 26th January 1946.

(e) The answer to the first part is in the affirmative; and as regards the second part, I would invite the Honourable Member's attention to clause (10) of section 6 of the High Denomination Bank Notes (Demonetisation) Ordinance, 1946, and to the Finance Department Notification No. D. 559-F. III/46, dated the 26th January 1946.

Statement showing the Daily Exchanges of High Denomination Notes Effected at the various Circles of the Reserve Bank of India

Date	Denomination	Bombay Circle	Calcutta Circle	Cawnpore Circle	Karachi Circle	Lahore Circle	Delhi Office	Madras Circle	Total
15th Jan. 1946	Rs. 500/-	500	3,000	..	1,000	1,500	..		6,000
	Rs. 1,000/-	4,43,72,000	85,03,000	11,23,000	36,23,000	30,12,000	13,74,000	5,62,000	6,25,69,000
	Rs. 10,000/-	8,25,60,000	16,90,000	5,20,000	4,70,000	35,30,000	..	7,40,000	8,95,10,000
	Day's Total	12,69,32,500	1,01,96,000	16,43,000	40,94,000	65,43,500	13,74,000	13,02,000	15,20,85,000
	Progressive Total	12,69,32,500	1,01,96,000	16,43,000	40,94,000	65,43,500	13,74,000	13,02,000	15,20,85,000
16th Jan. 1946	Rs. 500/-	3,000	500		500	2,000	..		6,000
	Rs. 1,000/-	1,33,41,000	60,40,000	7,09,000	4,01,000	18,50,000	3,67,000	2,63,000	2,29,71,000
	Rs. 10,000/-	2,90,000	11,00,000	1,40,000	10,000	5,10,000	10,000	70,000	21,30,000
	Day's Total	1,36,34,000	71,40,500	8,49,000	4,11,500	23,62,000	3,77,000	3,33,000	2,51,07,000
	Progressive Total	14,05,66,500	1,73,36,500	24,92,000	45,05,500	89,05,500	17,51,000	16,35,000	17,71,92,000
17th Jan. 1946	Rs. 500/-	3,000	1,000	5,000	66,500	30,000			1,05,000
	Rs. 1,000/-	4,17,88,000	28,03,000	20,33,000	35,71,000	68,19,000	3,11,000	69,000	5,73,94,000
	Rs. 10,000/-	12,60,000	8,70,000	1,40,000	1,20,000	8,60,000			32,50,000
	Day's Total	4,30,51,000	36,74,000	21,78,000	37,57,500	77,09,000	3,11,000	69,000	6,07,49,500
	Progressive Total	18,36,17,500	2,10,10,500	46,70,000	82,63,000	1,66,14,500	20,62,000	17,04,000	23,79,41,500

18th Jan. 1946	Rs. 500/-	2,000	5,000	4,500	70,500	36,500	6,500	2,500	1,27,500
	Rs. 1,000/-	4,22,33,000	92,58,000	39,71,000	77,71,000	1,77,31,000	33,34,000	14,10,000	8,57,08,000
	Rs. 10,000/-	9,70,000	23,10,000	50,000	1,80,000	13,10,000	70,000	7,20,000	56,10,000
	Day's Total	4,32,05,000	1,15,73,000	40,25,500	80,21,500	1,00,77,500	34,10,500	21,32,500	9,14,45,500
	Progressive Total	22,68,22,500	3,25,83,500	86,95,500	1,62,84,500	3,56,92,000	54,72,500	38,36,500	32,93,87,000
19th Jan. 1946	Rs. 500/-	16,000	65,000	8,500	90,500	61,000	..	5,000	2,46,000
	Rs. 1,000/-	6,03,84,000	1,33,73,000	76,92,000	64,32,000	2,25,01,000	29,94,000	24,79,000	11,58,55,000
	Rs. 10,000/-	11,00,000	14,50,000	2,40,000	2,40,000	26,40,000	60,000	3,10,000	60,40,000
	Day's Total	6,15,00,000	1,48,88,000	79,40,500	67,62,500	2,52,02,000	30,54,000	27,94,000	12,21,41,000
	Progressive Total	28,83,22,500	4,74,71,500	1,66,36,000	2,30,47,000	6,08,94,000	85,26,500	66,30,500	45,15,28,000
20th Jan. 1946	Rs. 500/-	4,000	8,000		15,000		..	500	27,500
	Rs. 1,000/-	2,83,57,000	1,92,45,000	5,82,000	3,93,000	9,64,000	17,59,000	1,34,000	5,14,34,000
	Rs. 10,000/-	4,90,000	20,60,000	20,000	40,000	1,50,000	20,000	20,000	28,00,000
	Day's Total	2,88,51,000	2,13,13,000	6,02,000	4,48,000	11,14,000	17,79,000	1,54,500	5,42,61,500
	Progressive Total	31,71,73,500	6,87,84,500	1,72,38,000	2,34,95,000	6,20,08,000	1,03,05,500	67,85,000	50,57,89,500
21st Jan. 1946	Rs. 500/-	9,000	73,000	15,000	..	32,500	3,500	10,000	1,43,000
	Rs. 1,000/-	3,52,14,000	2,84,99,000	66,18,000	14,000	1,62,47,000	26,21,000	37,75,000	9,29,88,000
	Rs. 10,000/-	3,80,000	1,02,60,000	3,60,000	..	11,20,000	30,000	4,40,000	1,25,90,000
	Day's Total	3,56,03,000	3,88,32,000	69,93,000	14,000	1,73,99,500	26,54,500	42,25,000	10,57,21,000
	Progressive Total	35,27,76,500	10,76,16,500	2,42,31,000	2,35,09,000	7,94,07,500	1,29,60,000	1,10,10,000	61,15,10,500

Date	Denomination	Bombay Circle	Calcutta Circle	Cawnpore Circle	Karachi Circle	Lahore Circle	Delhi Circle	Madras Circle	Total
22nd Jan. 1946	Rs. 500/-	15,500	30,500	17,500	39,000	42,000	5,000	1,000	1,51,000
	Rs. 1,000/-	3,96,08,000	3,41,16,000	64,07,000	28,15,000	98,58,000	43,16,000	39,10,000	10,10,30,000
	Rs. 10,000/-	8,90,000	28,60,000	1,20,000	2,10,000	7,70,000	1,10,000	7,10,000	56,70,000
	Day's Total	4,05,13,500	3,70,06,500	65,44,500	30,64,000	1,06,70,500	44,31,000	46,21,000	10,68,51,000
	Progressive Total	39,32,90,000	14,46,23,300	3,07,75,500	2,65,73,000	9,00,78,000	1,73,81,000	1,56,31,000	71,83,61,500
23rd Jan. 1946	Rs. 500-	7,000	68,500	8,500	6,500	14,000	5,000	1,500	1,11,000
	Rs. 1,000/-	3,57,47,000	3,72,10,100	1,25,15,500	9,97,000	74,90,000	22,23,000	21,98,000	9,83,80,000
	Rs. 10,000/-	9,80,000	39,30,000	4,90,000	50,000	10,00,000	1,50,000	4,70,000	70,70,000
	Day's Total	3,67,34,000	4,12,08,500	1,30,13,500	10,53,500	85,04,000	23,78,000	26,69,500	10,55,61,000
	Progressive Total	43,00,24,000	18,58,31,500	4,37,89,000	2,76,26,500	85,82,000	11,97,69,000	1,83,00,500	82,39,22,500
24th Jan. 1946	Rs. 500/-	7,000	25,500	11,000	3,000	1,08,000	1,000	4,500	1,60,000
	Rs. 1,000/-	3,45,34,000	2,91,43,000	66,84,000	6,76,000	83,60,000	15,24,000	23,92,000	8,33,13,000
	Rs. 10,000/-	7,50,000	41,80,000	3,60,000	20,000	25,20,000	20,000	4,90,000	83,40,000
	Day's Total	3,52,91,000	3,33,48,500	70,55,000	6,99,000	1,99,88,000	15,45,000	28,86,500	9,18,13,000
	Progressive Total	46,53,15,000	21,91,80,000	5,08,44,000	2,83,25,500	10,95,70,000	2,13,14,000	2,11,87,000	91,57,35,500
25th Jan. 1946	Rs. 500/-	8,000	72,500	30,000	46,000	38,000	5,000	500	2,00,500
	Rs. 1,000/-	3,68,83,000	3,16,37,000	82,69,000	9,20,000	78,15,000	30,31,000	21,95,000	9,07,50,000
	Rs. 10,000/-	48,20,000	43,20,000	3,70,000	30,000	15,20,000	70,000	3,80,000	1,15,10,000
	Day's Total	4,17,11,000	3,60,29,500	86,69,000	9,96,500	93,73,000	31,06,000	25,75,500	10,24,60,500
	Progressive Total	50,70,26,000	25,52,09,500	5,95,13,000	2,93,22,000	11,89,43,000	2,44,20,000	2,37,62,500	1,01,81,96,000

26th Jan. 1946	Rs. 500/-	6,000	46,500	7,000	25,000	16,500	1,000	..	1,01,000
	Rs. 1,000/-	2,48,27,000	2,88,20,000	61,45,000	13,09,000	54,88,000	7,16,000	13,29,000	6,86,34,000
	Rs. 10,000/-	36,00,000	38,90,000	3,70,000	40,000	12,50,000	1,00,000	5,10,000	97,60,000
	Day's Total	2,84,33,000	3,27,55,500	65,22,000	13,74,000	67,54,500	8,17,000	18,39,000	7,84,95,000
	Progressive Total	53,54,59,000	28,79,65,000	6,60,35,000	3,06,96,000	12,56,97,500	2,58,37,000	2,56,01,500	1,09,66,91,000
27th Jan. 1946	Rs. 500/-	..	..	..	..	..	..	..	..
	Rs. 1,000/-	..	..	..	..	35,000	..	..	35,000
	Rs. 10,000/-	..	..	..	..	..	..	..	..
	Day's Total	..	..	..	..	35,000	..	..	35,000
	Progressive Total	53,54,59,000	28,79,65,000	6,60,35,000	3,06,96,000	12,57,32,500	2,58,37,000	2,56,01,500	1,09,67,26,000
28th Jan. 1946	Rs. 500/-	1,500	69,500	..	500	8,000	2,000	..	81,500
	Rs. 1,000/-	3,06,86,000	1,28,59,000	12,64,000	22,000	11,66,000	4,46,000	3,32,000	4,67,75,000
	Rs. 10,000/-	8,40,000	25,40,000	1,10,000	..	4,70,000	40,000	20,000	40,20,000
	Day's Total	3,15,27,500	1,54,68,500	13,74,000	22,500	16,44,000	4,88,000	3,52,000	5,08,76,500
	Progressive Total	56,69,86,500	30,34,33,500	6,74,09,000	3,07,18,500	12,73,76,500	2,57,25,000	2,59,53,500	1,14,76,02,500
29th Jan. 1946	Rs. 500/-	500	2,000	..	..	7,000	..	..	9,500
	Rs. 1,000/-	36,85,000	1,05,000	40,000	2,000	7,97,000	10,00,000	2,46,000	58,83,000
	Rs. 10,000/-	20,000	20,000	..	..	10,000	..	50,000	1,00,000
	Day's Total	37,05,500	1,27,000	40,000	2,000	8,14,000	10,08,000	2,96,000	59,92,500
	Progressive Total	57,06,92,000	30,35,60,500	6,74,49,000	3,07,20,500	12,81,90,500	2,67,33,000	2,62,49,500	1,15,35,95,000

Date	Denomination	Bombay Circle	Calcutta Circle	Cawnpore Circle	Karachi Circle	Lahore Circle	Delhi Circle	Madras Circle	Total
30th Jan. 1946	Rs. 500/-	..	4,500	..	..	..	..	..	4,500
	Rs. 1,000/-	30,86,000	1,68,000	4,61,000	3,000	..	4,000	15,000	37,37,000
	Rs. 10,000/-	90,000	..	..	..	..	..	..	90,000
	Day's Total	31,76,000	1,72,500	4,61,000	3,000	..	4,000	15,000	38,31,500
	Progressive Total	57,38,68,000	30,37,33,000	6,79,10,000	3,07,23,500	12,81,90,500	2,67,37,000	2,62,64,500	115,74,26,500
31st Jan. 1946	Rs. 500/-	500	..	..	..	..	..	..	500
	Rs. 1,000/-	57,49,000	93,000	..	3,000	50,000	12,94,000	8,000	71,97,000
	Rs. 10,000/-	80,000	..	..	..	..	..	30,000	1,10,000
	Day's Total	58,29,500	93,000	..	3,000	50,000	12,94,000	38,000	73,07,500
	Progressive Total	57,96,97,500	30,38,26,000	6,79,10,000	3,07,26,500	12,82,40,500	2,80,31,000	2,63,02,500	116,47,34,000
1st Feb. 1946	Rs. 500/-	4,13,000	500	..	..	500	..	..	4,14,000
	Rs. 1,000/-	36,79,000	1,22,000	..	3,000	16,000	8,52,000	27,000	46,99,000
	Rs. 10,000/-	5,20,000	..	..	..	..	..	..	5,20,000
	Day's Total	46,12,000	1,22,500	..	3,000	16,500	8,52,000	27,000	56,33,000
	Progressive Total	58,43,09,500	30,39,48,500	6,79,10,000	3,07,29,500	12,82,57,000	2,88,83,000	2,63,29,500	117,03,67,000

2nd Feb. 1946	Rs. 500/-	1,000	..	..	..	..	..	..	1,000
	Rs. 1,000/-	2,34,000	3,72,000	..	..	35,000	6,10,000	65,000	13,16,000
	Rs. 10,000/-	..	20,000	..	..	..	..	1,30,000	1,50,000
	Day's Total	2,35,000	3,92,000	..	..	35,000	6,10,000	1,95,000	14,67,000
	Progressive Total	58,45,44,500	30,43,40,500	6,79,10,000	3,07,29,500	12,82,92,000	2,94,93,000	2,65,24,500	117,18,34,000
3rd Feb. 1946	Rs. 500/-	..	..	..	..	..	..	..	..
	Rs. 1,000/-	..	..	..	..	74,000	..	..	74,000
	Rs. 10,000/-	..	..	..	..	..	..	..	..
	Day's Total	..	..	..	..	74,000	..	..	74,000
	Progressive Total	58,45,44,500	30,43,40,500	6,79,10,000	3,07,29,500	12,83,66,000	2,94,93,000	2,65,24,500	117,19,08,000
4th Feb. 1946	Rs. 500/-	..	..	..	..	1,500	1,500	..	3,000
	Rs. 1,000/-	17,64,000	3,61,000	1,000	4,000	26,000	10,96,000	46,000	32,98,000
	Rs. 10,000/-	2,50,000	20,000	..	..	..	..	..	2,70,000
	Day's Total	20,14,000	3,81,000	1,000	4,000	27,500	10,97,500	46,000	35,71,000
	Progressive Total	58,65,58,500	30,407,21,500	6,79,11,000	3,07,33,500	12,83,93,500	3,05,90,500	2,65,70,500	117,54,79,000

Mr. Mann Subedar: While the objects mentioned by the Honourable Member are laudable, may I know why the machinery miscarried at a later date, whether Government made any inquiries, whether any cases have been found out, whether Government are aware that there was a black market in high denomination notes at almost every important centre and that these notes, from the guilty parties mentioned by him, were taken over by others and were cashed in?

The Honourable Sir Archibald Rowlands: I have no doubt that anything that we do in this country will produce another black-market. But I have only had one or two specific cases brought to my knowledge and they are under investigation and, if necessary, will lead to prosecution.

Shri Mohan Lal Saksena: May I know how many cases of bribe-taking were detected?

The Honourable Sir Archibald Rowlands: None, Sir; it was not intended to find out bribe-taking.

Mr. Manu Subedar: Did Government institute any special machinery in advance to prevent the arising of this black-market which I have mentioned and which nowspapers were commenting upon from day to day, and every day rates were being quoted from Rs. 450 to Rs 900 for thousand-rupee notes? And when Government saw all this in the press, if they did not put any special machinery before, did they institute any special machinery later for catching specific cases and punishing them?

The Honourable Sir Archibald Rowlands: We sent a telegram to every District Magistrate in India to watch out every day.

Seth Govind Das: The Honourable Member said that anything done here will produce a black-market. May I know who is responsible for it? Are Government not responsible for such a state of things?

The Honourable Sir Archibald Rowlands: I have no doubt at all that Government are not entirely free from blame but I think there are people in this country who are only too ready to take advantage of it

Seth Govind Das: Is the Honourable Member aware that if there is a national Government, these black-markets will not exist?

The Honourable Sir Archibald Rowlands: That is not a question of fact; it is a matter of opinion.

Mr. Manu Subedar: May I know what steps the Honourable Member will now take to restore confidence in note issue generally throughout the country to some extent, because loss of confidence has taken place?

The Honourable Sir Archibald Rowlands: I do not agree that there has been any loss of confidence except that induced by people who like to make mischief. In point of fact, we have published the fact that there is no intention of demonetising any other notes

Sreejut Rohini Kumar Chaudhuri: May I know what steps were taken to notify the Ordinance in rural areas?

The Honourable Sir Archibald Rowlands: We gave publicity to this on the wireless, we published it in the press; we sent copies to every bank and to every District Magistrate. I admit that they got there late

Dr. Sir Zia Uddin Ahmad: Is the Honourable Member aware that large numbers of notes of high denomination were transferred to Indian States and they were also mishandled by smaller banks?

The Honourable Sir Archibald Rowlands: I would be very grateful for the evidence in possession of the Honourable Member.

Shri Mohan Lal Saksena: May I know what further steps, if any, Government propose to take to detect bribe-givers and bribe-takers?

The Honourable Sir Archibald Rowlands: The declaration forms both as to the names of the people tendering them and the declarations they made are being carefully scrutinised.

Prof. N. G. Ranga: What is the estimate of the gain derived by Government as well as the public as a result of the promulgation of the Ordinance?

The Honourable Sir Archibald Rowlands: It is inestimable.

Mr. Manu Subedar: May I know what was done by Government when they came to know that the signatures of J. P.'s and Honorary Magistrates were being forged on the presentation forms by applicants?

The Honourable Sir Archibald Rowlands: I was not aware of that.

Shri Sri Prakasa: Is the Honourable Member sure that the objects for which he issued this Ordinance have been fulfilled, and can he tell us the number of guilty persons he has caught?

The Honourable Sir Archibald Rowlands: We are examining the declarations in great detail

Sreejut Rohini Kumar Chaudhuri: May I know if any special instructions were issued to the District Officers and Sub-divisional Officers for the purpose of notifying this Ordinance in the rural areas?

The Honourable Sir Archibald Rowlands: Yes, Sir.

BROADCASTING STATION AT PATNA

418. ***Mr. Madandhari Singh:** (a) Will the Honourable Member for Information and Broadcasting please state if there is any scheme to start a Broadcasting Station at Patna (Bihar)?

(b) If the answer to (a) is in the affirmative, when will the Broadcasting Station begin to function?

The Honourable Sir Akbar Hydari: (a) Yes.

(b) The replacement equipment is awaited from United Kingdom. No definite date can, therefore, be fixed for the functioning of the station.

Sri N. Narayanamurthi: Is Patna the only new broadcasting station that is now under contemplation or are there others also?

The Honourable Sir Akbar Hydari: There are others also.

Babu Ram Narayan Singh: In the last Budget session of the Assembly it was announced that Patna will be the first broadcasting station to be constructed. Has that priority been cancelled or does it still stand?

The Honourable Sir Akbar Hydari: It stands.

Prof. N. G. Ranga: Is it not a fact that Government have been trying to get this broadcasting machinery and other apparatus for the last two years?

The Honourable Sir Akbar Hydari: Yes, Sir; the previous equipment was sunk.

Sri N. Narayanamurthi: Will the Honourable Member state what other stations are in contemplation?

The Honourable Sir Akbar Hydari: Karachi is one, Nagpur is another, and there are others.

Sri M. Ananthasayanam Ayyangar: May I know if in Delhi there are a number of stations working for carrying on propaganda in the eastern countries and in Persia, Arabia and other places? Cannot this machinery be released for establishing the Patna station?

The Honourable Sir Akbar Hydari: That does not seem to arise.

Shri Satya Narayan Sinha: May I know for how long this scheme of starting a broadcasting station at Patna has been under consideration?

[illegible] Sir Akbar Hydari: For quite a time but, as I explained in answer to a question by my Honourable friend Prof. Ranga, the first lot of equipment was sunk, and the one which is now expected is under test in the United Kingdom, and I hope it will come soon.

Sri M. Ananthasayanam Ayyangar: I am asking the Honourable Member why he should go to the United Kingdom for getting machinery for Patna. There is machinery here which is used for carrying on propaganda in various countries, and why cannot that machinery be sent to Patna?

The Honourable Sir Akbar Hydari: I cannot answer that without notice.

Sri M. Ananthasayanam Ayyangar: I said even yesterday that there are a number of such machines which were used during the war for propaganda purposes and which can now be released. Orissa has no broadcasting station, the Telugu language has not got one and other languages also have no broadcasting stations. Why cannot one set of machinery be installed in Patna and why should notice be wanted for this?

The Honourable Sir Akbar Hydari: The only reason why I wanted notice was that I may get the question examined and give a reasonable answer to the question.

Sri M. Ananthasayanam Ayyangar: Why did it not strike my Honourable friend to utilise those already in existence which have been thrown out of use after the war? Why should he want any illumination from me?

(No reply was given.)

APPOINTMENTS UNDER UNIFIED SCALES OF PAY

419. *Mr. B. B. Varma: (a) With reference to the Home Department Office Memo. No. 1/3/44-Ests(S), dated the 30th October, 1944, and the Finance Department Office Memo. No. F.44(3)W/44, dated the 20th January, 1945, regarding Unified Scales of Pay, will the Honourable the Home Member please state whether the Unified Scales of Pay introduced during the War are going to be abolished? If so, by what date are they likely to be abolished?

(b) Do Government propose to appoint those persons, who are in the Unified Scales of Pay, in the First and Third Divisions of the Government of India Secretariat, when these Unified Scales of Pay are abolished?

(c) Is it a fact that in several Departments of the Government of India even non-graduates have been appointed in the 'A' Grade of the Unified Scales of Pay? If so, how many, and what are the reasons for doing so?

(d) Are Government aware that non-graduates have been appointed in the 'A' Grade while the Federal Public Service Commission's qualified graduates have been given only 'B' grade in certain Departments? If so, why?

The Honourable Sir John Thorne: (a) and (b). These matters are under consideration.

(c) As the number of candidates who qualified for appointment to Grade 'A' in the examination held by the Federal Public Service Commission was insufficient to fill all available vacancies, Departments were authorised to recruit to such vacancies themselves where necessary. I understand that under this dispensation at least one non-graduate has been directly appointed to the 'A' Grade, but my information is not complete. Some non-graduates have been promoted to the 'A' Grade, but I am not aware of the exact number. To collect information on these points would mean a good deal of labour.

(d) With the first part of this clause I have already dealt in the answer to the preceding clause. As regards the second part of the clause, it is quite possible that the Commission has nominated graduates to the 'B' Grade. In accordance with the terms of the notice for the examinations it was open to the Commission to nominate for Grade 'B' those candidates who did not qualify for Grade 'A' but who secured more than a prescribed minimum of marks.

Prof. N. G. Ranga: Is it not a fact that non-graduates have been appointed directly to 'A' Grade?

The Honourable Sir John Thorne: I think I have answered that.

Prof. N. G. Ranga: The answer was that non-graduates have been promoted to 'A' Grade, but not that non-graduates were not being appointed.

The Honourable Sir John Thorne: My reply was that I understand that under this dispensation at least one non-graduate has been directly appointed to the 'A' Grade; but my information is not complete.

Prof. N. G. Ranga: If there were graduates available and they were appointed to 'B' Grade, why should non-graduates be directly recruited to the 'A' Grade?

The Honourable Sir John Thorne: I am quite prepared to admit that there may have been some difference in standards in some Departments, but I think it has been on a very small scale, the arrangement is purely temporary and I do not think it is necessary to pursue it further.

APPOINTMENTS UNDER UNIFIED SCALES OF PAY

420. *Mr. B. B. Varma: (a) Will the Honourable the Home Member please state the policy of Government in the matter of retrenchment in the Government of India of persons recruited directly in the Unified Scales of Pay?

(b) Do Government propose to retrench all those persons who were appointed directly in the 'A' Grade in preference to those who were promoted to that grade departmentally?

(c) If the position be as stated in (b) above, do Government propose to consider declaring the former as junior to the latter?

(d) Is it a fact that persons who are on deputation and were appointed in the "A" Grade have been confirmed in some Departments in that grade in supersession of the claims of the departmentally promoted persons? If so, what action do Government propose to take in the matter to set things right?

The Honourable Sir John Thorne: (a) The following instructions have been issued in respect of persons in temporary Government service who have to be retrenched:

(i) to safeguard the interests of minority communities, *vide* the Department Press Communique dated 4th October 1945, a copy of which was placed on the table of the House on the 7th February;

(ii) to give retrenched men the use of the Employment Exchanges set up by Government; this will mean broadly speaking that they are given the same facilities for finding alternative employment as are enjoyed by men demobilised from the Forces.

(b) and (c) I understand the phrase "promoted to that grade departmentally" to mean permanent employees who have been promoted to officiate in the Assistants Grade. So far as I am aware, the question has not arisen.

(d) I do not understand the question as no one can be confirmed in the 'A' Grade

HINDI AND URDU OR HINDUSTANI PROGRAMMES FOR ALL-INDIA RADIO

421. *Mr. M. R. Masani: (a) Has the attention of the Honourable Member for Information and Broadcasting been drawn to a news report entitled "Hindi-Urdu Policy: Information and Broadcasting Member Holds Conference" which appeared in the *Hindustan Times*, dated January 29, 1946?

(b) Is it a fact that such a Conference was held in which the Hindi-Urdu policy of the All-India Radio was discussed?

(c) Is it a fact that the majority of members taking part in this Conference recommended a curtailment of Hindustani broadcasts in favour of separate broadcasts in Hindi and Urdu?

(d) Are Government aware of the fact that such a recommendation would be regarded as most retrograde by the progressive and nationalist section of the people who strongly support Mahatma Gandhi's movement for the development of a common national language?

(e) Are Government aware of the fact that in furtherance of such a movement, Mahatma Gandhi has resigned from associations holding separatist views in language?

(f) Does the Honourable Member propose to give an assurance that Government (i) will not encourage separatism, (ii) will not curtail Hindustani or hinder its development, and (iii) will encourage the development of a common national language through the medium of the radio?

The Honourable Sir Akbar Hydari: (a) Yes.

(b) Yes.

(c) No.

(d) Yes if such a recommendation were made.

(e) Yes.

(f) Yes as far as it lies in my power.

Mr. M. R. Masani: Arising out of the answer to part (c) that the report is not correct, will the Honourable Member kindly tell us what exactly is the recommendation of the Conference?

The Honourable Sir Akbar Hydari: I will read it out from the Press Note:

"After a full discussion, the Committee unanimously came to the conclusion that the use of Hindustani as the common language for news bulletins, though not free from difficulties, should not be given up without a further attempt at arriving at a generally acceptable vocabulary."

Shri Sri Prakasa: Will the Honourable Member for my illumination, kindly give his reply to the question I am asking in Hindustani, Urdu and Hindi, in order that I may understand what exactly these languages are?

The Honourable Sir Akbar Hydari: I regret my inability to do so.

Mr. M. R. Masani: Will the Honourable Member consider the members of this House as experts in terms of the Press Note which he has refered to, by placing a copy of the Lexicon which has been prepared, of English words with their Hindi and Urdu equivalents, in the Library of the House?

The Honourable Sir Akbar Hydari: Certainly.

ANTI-CONGRESS PROPAGANDA BY INDIAN INFORMATION OFFICE, WASHINGTON

422. *Seth Govind Das: (a) Will the Honourable Member for Information and Broadcasting be pleased to state if it is a fact that the Indian Information Office at Washington has been spending money for the anti-Congress propaganda by publishing, subsidising and circulating a number of books from the year 1942 to 1945?

(b) Will the Honourable Member lay on the table the number of such books with their names, the names of the authors and the total expenditure incurred on them?

(c) What was the total amount spent in the United States on propaganda during 1942-43, 1943-44, 1944-45, with special reference to the following:

(i) expenses of Sir Girja Shanker Bajpai's Office;

(ii) Expenses incurred on publicity materials, posters, pamphlets, cables sent to the United States of America;

(iii) expenses incurred on sending the various missions such as the 'Sarma Mission';

(iv) expenses incurred on the special Publicity Officer maintained for preparing literature sent to America; and

(v) expenses on air travel to America incurred by the officials of his Department at short intervals?

The Honourable Sir Akbar Hydari: (a) Not that I am aware of.

(b) Does not arise.

		Rs.
(c) (i)	1942-43	4,61,600
	1943-44	7,08,825
	1944-45	8,59,300

(ii) Publicity in America has been handled as part of the normal external publicity duties of the attached offices of this Department, but if the Honourable Member is referring to the budget of the Indian Information Services maintained in America it was Rs. 61·542, Rs. 1·55 lakhs and 4;11 lakhs in the three years respectively.

(iii) I presume the Honourable Member is referring to the four gentlemen (Sir Srinivasa Sarma, Sir H. G. Misra, Mr. R. R. Bhole and Mr. M. Ghiasuddin) sent to America during the year 1943-44. If so, expenditure incurred on their visit was Rs. 59,000.

(iv) United Publications produce a magazine called 'Perspective', directed towards America. The Editor of this magazine is in receipt of a pay of Rs. 850 p. m. in the scale of Rs. 800—50—1,000.

(v) Rs. 9,728.

Seth Govind Das: The Honourable Member has denied the allegation which is contained in parts (a) and (b) of my question, but does the Honourable Member know, Sir, that these two books—"What Does Gandhi Want", and "A Report on India"—were written by Mr. Raman who is an employee of the Government of India?

The Honourable Sir Akbar Hydari: I do not know whether they were written by him . . . .

Diwan Chaman Lall: His name is on the books.

The Honourable Sir Akbar Hydari: I did not know of the existence of these books. Mr. Raman is leaving the service of the Government by the end of this month.

Seth Govind Das: When he has denied this fact, may I know how does he say that no anti-Congress propaganda is being carried out in America when actually an employee of the Government of India has written books like "What Does Gandhi Want" and "A Report on India"?

The Honourable Sir Akbar Hydari: I said, Sir, "Not that I am aware of". Now that the Honourable Member has mentioned these two books, I will find out whether these two books were issued with the funds made available by Government.

Seth Govind Das: Does the Honourable Member know that His Excellency Lord Wavell wrote to Lord Halifax that there is a great agitation in India against the propaganda which is being carried on in the United States of America and such huge sums of money which are being spent there should not be spent?

The Honourable Sir Akbar Hydari: I do not know of this correspondence.

Mr. T. Chapman-Mortimer: In answer to part (c) of the question, I notice from the reply of the Honourable Member that the expenses on this item have practically doubled in the last few years. Is the Honourable Member going to take steps to curtail that expenditure drastically?

The Honourable Sir Akbar Hydari: I made the same enquiry and was told that the reason for the increased expenditure is the high price of American publications which have to be purchased; but I will certainly make a further enquiry into the matter.

Seth Govind Das: Is it a fact that a Palace has been purchased in America for Sir Girja Shankar Bajpai at the cost of half a million dollars?

The Honourable Sir Akbar Hydari: That question should be addressed to the Secretary, External Affairs Department.

Diwan Chaman Lall: May I ask my Honourable friend whether it is the policy of the Government of India to continue to pay money for propaganda in America of the type evidenced by these questions and answers?

The Honourable Sir Akbar Hydari: I have not accepted the statement of my honourable friend that the kind of propaganda which he complains of has been financed by the Government of India, but if he wants to know whether

we propose carrying on propaganda on behalf of India in America, the answer is in the affirmative.

Seth Govind Das: Is it a fact that the Government of India is sending cables practically every day from here and a lot of money is being spent on that?

The Honourable Sir Akbar Hydari: Yes, Sir, quite a large sum of money is spent on sending cables.

Seth Govind Das: Will the Honourable Member deny that these cables sometimes contain propaganda against the Congress?

The Honourable Sir Akbar Hydari: Not that I am aware of, but if the Honourable Member will only come and have a word with me I can explain the things to him.

Sri M. Ananthasayanam Ayyangar: Apart from carrying on any particular kind of propaganda—anti or for the Congress—what is the need for carrying on any propaganda any longer in America?

The Honourable Sir Akbar Hydari: That is a matter of opinion. India wants a certain number of things from America. The people of America are rather ignorant of our achievements whether cultural or industrial and it is a good thing for them to know something of us. That is the view of the present Government. When the new Government comes they can change matters.

Sri M. Ananthasayanam Ayyangar: May I know if any propaganda has been carried on or has any propaganda yet to be carried on?

The Honourable Sir Akbar Hydari: Certainly.

Sri M. Ananthasayanam Ayyangar: Then what is it?

The Honourable Sir Akbar Hydari: Wait and see.

Shri Mohan Lal Saksena: What is the reason for the resignation of Mr. Raman?

The Honourable Sir Akbar Hydari: No reason.

Shri Mohan Lal Saksena: Is it because of the impending danger of the National Government to be formed?

Mr. President: That is for Mr. Raman to say.

Shri Sri Prakasa: How many books does Mr. Raman propose to write before he retires at the end of the month?

The Honourable Sir Akbar Hydari: He would have to be a very quick writer if he is to write them between now and the 28th of this month when he goes

Shri Sri Prakasa: Propaganda is always quick work.

Mr. President: Next question.

WAR SERVICES VACANCIES FOR BRITISHERS AND INDIANS

423. *Seth Govind Das: (a) Will the Honourable the Home Member be pleased to state how many vacancies in civil services have been reserved for war service candidates?

(b) Are they meant for only Britishers or also for Indians?

(c) If the answer is that for Indians also, will the Honourable member state the percentage fixed for Britishers and Indians?

The Honourable Sir John Thorne: (a) The following number of vacancies have been reserved for 'war service' candidates in the various services:

Secretary of State's Services	336
Central Services	468

(b) Of the vacancies in the Secretary of State's Services, 197 fall to Europeans and 139 to Indians; Indian vacancies which arose in the early years of the war have already been filled.

There is no reservation of vacancies in the Central Services for Europeans.

(c) The ratio of British and Indian recruitment is as follows:

	Europeans	Indians
I.C.S.	50	50
I.P.	50	44

Seth Govind Das: Why is it that such a big ratio for Europeans is being kept up?

The Honourable Sir John Thorne: I do not quite understand my Honourable friend's question. The ratio has not been raised.

Seth Govind Das: Why is it being kept up at such high numbers?

The Honourable Sir John Thorne: That is a question that was well ventilated on the floor of this House on an adjournment motion.

Mr. Manu Subedar: With regard to the 197 places which will be filled up with Britishers, has the Honourable Member sent down to the Secretary of State both the debate and the short notice question and supplementaries in which it was asked by this side of the House that as a goodwill gesture His Majesty's Government should not fill up any more places with heavy handicap to Indian finances in view of the great compensations which were provided?

The Honourable Sir John Thorne: The proceedings in both instances will be sent. I am not certain whether they have been sent and whether we have yet received them.

Sri M. Ananthasayanam Ayyangar: If all the places are to be filled why are these things not hurriedly sent up?

Mr. Manu Subedar: Will my Honourable friend undertake to send a special cable, if necessary the cost will be collected by Members from this side, to His Majesty's Government, that in view of the delegation which is coming from the United Kingdom—a very distinguished and highly placed delegation —this is the least gesture which they can make to the people of this country?

The Honourable Sir John Thorne: That is a fresh question to which I should be unwilling to reply on the spur of the moment.

Diwan Chaman Lall: Have the Government of India come to any conclusions as the result of the debate on this subject that took place on the floor of this House?

The Honourable Sir John Thorne: No fresh conclusion.

Diwan Chaman Lall: May I take it that the Government of India do not intend to recommend the stoppage of any further recruitment as evidenced by these questions and answers?

The Honourable Sir John Thorne: Yes, Sir.

Diwan Chaman Lall: Is it the intention of the Government of India to flout the opinion of this House?

The Honourable Sir John Thorne: Sir, I have replied to the questions so far as they asked for information. I suggest that my friend's present question is a piece of embroidery of his own manufacture on the previous question.

Diwan Chaman Lall: May I ask my Honourable friend whether it does not arise out of his own admission that the Government of India stand where they do, namely, that they are not prepared to budge an inch?

The Honourable Sir John Thorne: The question of flouting the opinion of the House is a matter of opinion. I do not admit that any action taken by the Government of India or any omission to take action is done with the intention of flouting the opinion of this House.

Diwan Chaman Lall: Is my Honourable friend prepared to accept the opinion of this House?

Mr. T. Chapman-Mortimer: On a point of order. Are all these questions and their replies in order? I suggest that they are not.

Mr. President: One question follows the other and the other question arises out of the reply.

Mr. T. Chapman-Mortimer: I suggest that the questions cast an inference which is contrary to Standing Orders.

Sjt. N. V. Gadgil: Are you finding the questions awkward?

Mr. Manu Subedar: Have Government considered that permitting of further passage of time and not having informed the Secretary of State of our wishes to keep this whole process in abeyance will result in the places being filled up and the matter being too late? Contracts will be made with the parties. Have you considered that?

The Honourable Sir John Thorne: We have considered that. If the present arrangements made by the Secretary of State are not changed by him that will be the result.

Shri Mohan Lal Saksena: I want to know whether the Government considered the position in the light of the adjournment motion passed by the House?

The Honourable Sir John Thorne: Yes, Sir.

Shri Sri Prakasa: Will the Honourable Member consider the desirability of Europeanising the lower service, especially those of the chaprassis and others?

The Honourable Sir Edward Benthall: On the point of admissibility of supplementaries, is it not correct parliamentary practice that an answer should be confined to the points contained in the question and that further supplementaries should be only such as are necessary for the elucidation of the answers already given?

Mr. President: That is the correct procedure. Order, order. Next question.

SLAUGHTER OF CALVES IN MILITARY DAIRY FARMS

424. *Pundit Thakur Das Bhargava: (a) Will the War Secretary kindly state (i) the number of milch cows and buffaloes in the Military Dairy Farms in India, and (ii) and number of calves (cow and buffaloes) with the dams?

(b) Is it a fact that the calves are slaughtered as soon as they are born or within a fortnight of their birth in these Military Dairy Farms in India? If not, are they nourished and allowed to grow?

(c) How are they subsequently disposed of? If they are auctioned off, what is the average age when they are auctioned?

Mr. P. Mason: (a) (i) On the 31st December 1945 the total number of milch cattle in Military Farms in India was approximately:

Milch Cows	4,831
Milch buffaloes	53,950

(ii) It is not the practice on Military Farms to rear calves with their dams. They are weaned at birth. On the 31st December, 1945, there were, however, in Military Farms the following number of young stock:

Cows	3,799
Buffaloes	8,404

(b) and (c). No, Sir. In those Provinces in which legislation prohibits the slaughter of male and female cow calves and female buffaloe calves no such calves are slaughtered except a small proportion (considerably less than 1 per cent.) which have to be destroyed on veterinary advice. All normal healthy calves are nourished and allowed to grow. In Provinces where slaughter is allowed by law, the majority of male calves, and a percentage of female calves depending on the demand for meat and the availability of feeding grains are slaughtered to provide meat. Surplus calves are either given away free of charge when 14 days old to anyone who certifies that he does not intend to slaughter, or alternatively they are sold by private treaty or public auction, whichever is more advantageous to the State, at any age whenever a suitable

market offers. The same applies in other Provinces to those which are not slaughtered for meat.

Seth Govind Das: With respect to clause (b) of the question, will the Honourable Member enquire as far as the Jubbulpore Military Dairy goes, that all the calves are slaughtered?

Mr. P. Mason: It is not a fact.

Seth Govind Das: Will the Honourable Member make enquiries?

Mr. P. Mason: That all the calves are slaughtered in Jubbulpore?

Seth Govind Das: Most of the calves are slaughtered.

Mr. P. Mason: May I ask the date of his information?

Seth Govind Das: Most recent. Up-to-date.

Mr. P. Mason: I will make enquiries but I think it will prove to be not a fact.

Mr. Manu Subedar: May I know why the total number of cows has come down and what if any steps the military people are taking to increase the number and to provide good breed?

Mr. P. Mason: The object, Sir, is to provide milk of the best quality and it does not necessarily follow that if you increase the number of cattle you improve the quality or quantity of the milk. As my friend will notice in the *Hindustan Times* this morning, there are recommendations with regard to the defects in India's milk production system in which it is stated that one of the first essentials to a healthy milk industry in India is to reduce the cattle population from 219 million to 140 million. That is the principle which we follow in the military dairies.

Mr. Manu Subedar: That does not refer to the cows held by the military. My Honourable friend has entirely missed my point. At present the Military Department get the very best animals available in the private market and denude private ownership of these animals. Should not one expect, from the Military Department at all events, who claim to be well organised, that they will set up breeding process and provide their own cows and provide a little surplus of the better breed for the public?

Mr. P. Mason: I think that is a question for the Agricultural Department rather than for the War Department. We maintain cattle in order to feed our own people.

Mr. Manu Subedar: This is a case of lack of co-ordination between the various departments. I again enquire whether the Military Department will not make a special effort not only to breed the animals for themselves but to create a surplus of better breed to be made available for the civilian population, instead of raiding the civil population's stocks for the best animals that they have.

Mr. P. Mason: Sir, I do not admit that we raid the civil market for the best cattle but I will certainly inquire into the possibility suggested by my Honourable friend.

Sreejut Rohini Kumar Chaudhuri: Is it not a fact that in certain military camps in Assam calves were sold according to their weight, the whole underlying idea being the quantity of meat that may be available from them?

Mr. P. Mason: Yes, that is what I said.

Provincial Deputationists in Central Government Services

425. *Hafiz Mohammad Abdullah: (a) Will the Honourable the Home Member please state whether he proposes to issue instructions to the various Departments to revert men with liens on posts in Provinces and other Departments and to keep on those with no permanent jobs?

(b) Is it a fact that some officers with liens have been given quasi-permanent jobs in the Supply Department and retained in the new organisation on a much higher pay than they would get in their own provincial jobs or jobs in other Departments?

The Honourable Sir John Thorne: (a) I do not think it necessary to issue instructions. Each case is decided on its merits with due regard to the essential needs of both the borrowing and lending Departments or Governments. The automatic reversion of such men from posts in which they have gained valuable experience would create administrative difficulties

(b) No. Some officers borrowed from Provinces and other Departments are being retained in the Industries and Supplies Department (the late Supply Department) on a temporary basis. Some of these officers are getting higher pay because of the more responsible nature of their duties.

Prof. N. G. Ranga: Is the Honourable Member aware that many of these superannuated officers who have been given extension of service are most of the time sleeping in their offices?

The Honourable Sir John Thorne: Sir, the question does not relate to superannuated officers.

EXTENSION IN SERVICE TO SUPERANNUATED MEN

426. *Hafiz Mohammad Abdullah: (a) Will the Honourable the Home Member please state the policy of Government in the matter of extensions after the expiry of tenure on various jobs as well as extensions in service after the age of superannuation?

(b) Have Government evolved any policy now after the termination of the war different to what they followed in this respect during the war?

The Honourable Sir John Thorne: (a) and (b). An officer's tenure in a particular post is extended only if it is administratively essential, or a suitable substitute cannot immediately be found. No change of policy is required.

As regards retention after the age of superannuation, the Honourable Member's attention is invited to the reply I have just given to Mr. Manu Subedar's question No. 414.

Sri M. Ananthasayanam Ayyangar: If any of these superannuated men have been taken or retained in service only for the duration of the war, may I know what steps have been taken to send them away, now that the war is over?

The Honourable Sir John Thorne: That question is covered by my answer to another supplementary question. Each case is examined on its merits and with regard to the circumstances of the department concerned

Sri M. Ananthasayanam Ayyangar: May I know whether at the time these extensions were granted, they were granted for short periods or indefinitely to be terminated at will?

The Honourable Sir John Thorne: Ordinarily one year at a time.

ECONOMIC ADVISER TO GOVERNMENT OF INDIA

427. *Prof. N. G. Ranga: Will the Honourable the Finance Member be pleased to state:

(a) for what period the Economic Adviser was appointed;

(b) when it is likely to come to an end;

(c) whether any steps are being taken to secure the services of an Indian economist to take his place, when he goes to England, or whether Government are contemplating the extension of the term of the present Economic Adviser; and

(d) whether Government are aware of the censure motion passed by the Assembly when he was appointed?

The Honourable Sir Archibald Rowlands: With your permission, Sir, I propose to answer questions 427 and 428 together.

These questions have been transferred to the Commerce Department and my colleague, the Commerce Member, will reply on the 25th and the 28th instant respectively.

RECOMMENDATIONS OF THE SALT SURVEY COMMITTEE

†**428. *Seth Sukhdev:** (a) Will the Honourable the Finance Member be pleased to state if:

†For answer to this question, *see* answer to question No. 427.

(i) as a result of the recommendations of the Salt Survey Committee West Coast factories have increased their output of salt from 220,000 tons to 470,000 tons per annum;

(ii) 80 per cent. of the salt requirements of Bengal and adjacent markets can now be supplied by the salt works on the West Coast of India;

(iii) the Government of India's most recent import allotments of salt for the six months January/June 1946 were: Aden 91,000 tons, other areas (Middle East) 21,000 tons, and Indian salt manufacturers only 68,000 tons; and

(iv) this programme has been temporarily suspended owing to the large accumulations of salt in Bengal due to excessive imports from foreign countries in 1944 and 1945?

(b) Do the Government of India propose to ensure the maximum use of Indian salt production for Bengal and adjacent Provinces by:

(i) restricting the issue of licences for the importation of salt from Aden; and

(ii) discontinuing altogether imports from other foreign sources?

WARRANTS AGAINST UNDERGROUND POLITICALS

429. *Sri R. Venkatasubba Reddiar: Will the Honourable the Home Member be pleased to state:

(a) the number of underground politicals against whom warrants are pending;

(b) if Government have taken any action to recall or cancel the warrants of all such politicals; and

(c) if so, the time that will be taken for cancelling or withdrawing them, and, if not, why not?

The Honourable Sir John Thorne: (a) So far as the Central Government and the Chief Commissioners are concerned, there are no such warrants pending.

(b) and (c). Do not arise

Shri Sri Prakasa: Does the Honourable Member intend to withdraw the warrant against the one individual he was referring to?

The Honourable Sir John Thorne: I said "none".

Prof. N. G. Ranga: Have Government instructed the Provincial Governments to withdraw the warrants against these underground politicals?

The Honourable Sir John Thorne: I think not.

Sri M. Ananthasayanam Ayyangar: May I know if the Honourable Member has taken any steps to ascertain what the number of underground politicals are against whom warrants issued by the Provincial Governments are pending?

The Honourable Sir John Thorne: No, Sir.

Sri M. Ananthasayanam Ayyangar: Why not, Sir? There is a separate department of Information, the Honourable Member in charge of which is sitting to the right of the Honourable the Home Member and there are various other departments of information too. What then is the business of the Government of India? What reasons have they for not collecting this information?

The Honourable Sir John Thorne: The reason is quite simple: the matter is not primarily the concern of the Governor General in Council.

Sri M. Ananthasayanam Ayyangar: Sir, the Government of India are responsible for the peace and tranquillity of India as a whole. This is not a matter of individual cases here and there nor the chance act of the police administration in a particular province. It affects the whole of India and therefore the Honourable Member must gather this information. There are precedents in the past where Home Members have been giving information with respect to politicals all over India.

Lt.-Col. Dr. J. C. Chatterjee: The Honourable Member is making a speech.

Sri M. Ananthasayanam Ayyangar: The Home Member does not object, what is your objection? Sir, may I refer to Ruling No. 327 regarding 'Refusal to answer: Reasons to be given". It reads:

"When a Government Member refused to answer a particular question, the Chair generally presumed that it was because it was not in the public interest to answer the question. But it is due to this House that an Honourable Member of Government, refusing to answer a particular question, should indicate the ground on which he refuses."

Sir, the information I am seeking is due to us and it is of public interest.

Shri Sri Prakasa: Say it is not in the public interest and be done with it.

Diwan Chaman Lall: How can you expect him to tell a lie?

Mr. President: I am not inclined to say anything at present. I feel the question will require a little more consideration on my part. The ruling which has been quoted by the Honourable Member refers to disclosure of information. Whether the reason given for refusal to disclose information is a proper or improper one is a different matter on which the Chair cannot be expected to give a ruling. The reason which the Honourable the Home Member gave was that it was not the primary concern of the Government of India. I do not think I can sit in judgment on the propriety of the reason given: it is outside the scope of the functions of the Chair. Assuming that the reason given is improper, I do not think the Chair could go into that question. That is how I look at it at present but I shall consider the question later on.

Sri M. Ananthasayanam Ayyangar: I am much obliged to you, Sir, for your promise to consider it later. Only one more point I would submit, Sir, and that is the ground whether it is the province of the Governor General in Council or not will have to be decided by you Government should not take shelter under that excuse. Every thing has to be scanned carefully. You will kindly have that also in mind when you consider that aspect.

Shri Mohan Lal Saksena: May I put one more supplementary question, Sir? May I know whether the 1942 arrests were made at the instance of the Government of India?

The Honourable Sir John Thorne: That hardly arises out of this question.

Shri Mohan Lal Saksena: It arises because the warrants were issued at the instance of the Government of India and these warrants should be withdrawn. The Government of India should advise the Provincial Governments.

Mr. President: That will be a matter of argument.

(*b*) WRITTEN ANSWERS

RELEASE OF POLITICAL PRISONERS IN UNITED PROVINCES

430. *Sri R. Venkatasubba Reddiar: Will the Honourable the Home Member be pleased to state:

(a) if he is aware that a political prisoner in the Central Provinces, Maganlal Bagri, has been sentenced in all to a term of eighty years, that he is suffering from acute T.B., and that he is likely to die shortly if not released immediately;

(b) if he is aware that in the United Provinces also there are a number of political prisoners with terms of imprisonment varying from forty to fifty years and that all of them are suffering from various diseases and are not properly attended to; and

(c) if he proposes to consider the desirability of their immediate release?

The Honourable Sir John Thorne: (a) and (b). I have no information.

(c) Their release is a matter for the Provincial Governments.

EXCISE DUTY ON BETEL NUTS

431. *Sreejut Rohini Kumar Chaudhuri: Will the Honourable the Finance Member be pleased to state:

(a) in what Provinces the excise duties on betel nuts have been levied, and from what year;

(b) the total amount of excise duties in each of these Provinces year to year, and the method of assessment in different Provinces;

(c) if it is a fact that in the Province of Assam taxes are levied both on nuts and shells unlike the other Provinces, as a result of which the betel nut growers in Assam are to pay at a rate which is double the rate prevailing in other Provinces; and

(d) whether Government have received any representation protesting against the levy of such excise duties on nuts; if so, what action has been taken on such representations?

Mr. B. C. A. Cook: (a) The excise duty on betel nuts was imposed in British India with effect from the 1st April, 1944. The provinces in which betel nuts are produced, are Assam, Bengal, Madras, Bombay, and Coorg.

(b) A statement showing the annual revenue collections on betel nuts in each of these provinces is placed on the table of the House.

The method of assessment is the same in all provinces: nuts with husk are assessed on the estimated weight of the kernel only; nuts without husk are assessed on the actual weight of the nuts at the time of assessment.

(c) No.

(d) I presume that the Honourable Member has in mind the levy of excise duty on the weight of both nut and husk. In view of what I have stated in part (b), no such complaint can now arise.

BETEL NUTS

Statement of revenue collections in provinces for 1944-45 and 1945-46 (uptil January 1946)

Province	1944-45	1945-46 (till January)
Bombay		
Bombay	16,91,300	16,92,000
C. P. and Berar	*Nil*	*Nil*
Calcutta		
Bengal	69,53,000	96,77,000
Assam	3,44,000	4,77,000
Orissa	*Negligible*	*Negligible*
Madras		
Madras	42,10,309	32,95,081
Coorg	2,491	5,283
Total	1,32,01,100	1,51,46,364

EXPENDITURE INCURRED ON BEHALF OF HIS MAJESTY'S GOVERNMENT

432. *Sjt. N. V. Gadgil: (a) Will the Honourable the Finance Member please state his estimate about the expenditure to be incurred in course of the next financial year, i.e., 1946-47, on behalf of His Majesty's Government in this country?

(b) Has he any proposal before him to treat on a separate footing all the expenditure incurred and to be incurred in this country on behalf of His Majesty's Government after the cessation of hostilities in August 1945?

The Honourable Sir Archibald Rowlands: I would ask the Honourable Member to await my Budget Speech.

BROADCASTING OF PROCEEDINGS OF CENTRAL LEGISLATIVE ASSEMBLY

433. *Pundit Thakur Das Bhargava: (a) Will the Honourable Member for Information and Broadcasting kindly state if he is aware that loud-speakers, have been installed outside the Legislative Chamber at Lucknow in the United Provinces and that the proceedings of the Assembly are broadcast to the public outside?

(b) Do Government propose to consider the advisability of making a similar arrangement for the Indian Legislature at New Delhi?

The Honourable Sir Akbar Hydari: The question should have been addressed to the Honourable the Leader of the House. It has accordingly been transferred to the Final List of starred questions for the 28th February, 1946, when it will be answered by the Honourable the Leader of the House.

RELEASE OF MR. JAI PRAKASH NARAIN

434. *Shri Satya Narayan Sinha: (a) Has the attention of the Honourable the Home Member been drawn to the news that appeared in the issue of the *Hindustan Times* on the 5th February, 1946, that the Bihar Government have recommended to the Central Government for an early release of Jai Prakash Narain and other detenus in Bihar?

(b) Will the Honourable Member be pleased to state when they are going to be released?

(c) Is it a fact that the ban on Socialist and Forward Bloc parties is going to be removed? If so, when?

The Honourable Sir John Thorne: (a) I have read the article.

(b) The case of Mr. Jai Prakash Narain is still under review. The other persons mentioned in the news item are not prisoners of the Central Government and it is for the Provincial Government to decide about their release.

(c) There has been no decision to remove the ban on the Forward Bloc. I have no information about removal of the bans on the Congress Socialist Party their removal is a matter for the Provincial Governments which imposed them

UNSTARRED QUESTIONS AND ANSWERS

TRAINING OF I.C.S. PROBATIONERS

45. Mr. P. B. Gole: Will the Honourable the Home Member be pleased to state:

(a) for how many years the scheme for training probationers for the I.C.S. at Dehra Dun has been in force; and

(b) the number of probationers so far trained at Dehra Dun?

The Honourable Sir John Thorne: (a) and (b). The scheme was in force at Dehra Dun for 4 years ending in August 1944 and during this period 69 Indian Civil Service probationers received their training.

TRANSFER OF INDIAN ARMY OFFICERS TO I.C.S.

46. Mr. P. B. Gole: Will the Honourable the Home Member please state:

(a) the number of Indian Army officers whose services have been transferred to the I.C.S.; and

(b) whether such officers have been permanently transferred to the civil side?

The Honourable Sir John Thorne: (a) and (b). No Indian Army officer has been transferred to the Indian Civil Service, either permanently or temporarily. The number of vacancies in the Indian Civil Service which are to be filled by the recruitment of persons with war service is 217.

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, yesterday my friend Sir Ziauddin Ahmed asked a question about the procedure regarding the grant of licences to imports. I had promised to look into the question. I have looked into it and have also discussed it with the Honourable the Supply Member The procedure regarding the issue of textile machinery licences is that the Government of India in the Planning and in the Industries Departments first determines the regional quota in accordance with certain all-India policy. After that, every application for licence which is received by the Department concerned is forwarded to the Provincial Government concerned. It is on their recommendation that the licences are issued. Therefore, if there is any complaint regarding the selection of a particular licensee for one purpose or the other, the responsibility lies with the Provincial Government.

12 NOON.

Shri Mohan Lal Saksena (Luckuow Division: Non-Muhammadan Rural): Is it correct procedure, Sir, for the Honourable Member to supply the information today?

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): The net result is that most of these industries are really located in what I call non-Pakistan Provinces and they are all held by non-Muslims.

Mr. President: With reference to the point raised by Mr. Saksena, Sir Ziauddin wanted some further information over a supplementary question that had been asked and the Honourable the Commerce Member is giving the information because he had promised to give it.

Shri Mohan Lal Saksena: But it should have been given on the next day when the Honourable Member was to answer the next question. The Commerce Member was not to have answered questions today.

Mr. President: Perhaps the matter will be stale by that time.

Sri M. Ananthasayanam Ayyangar: (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): When he promises to give the information he cannot give an answer. He can collect the information and lay it on the table. The procedure is that when he gives the information at a later date he circulates it. Otherwise we have not been given notice and we cannot anticipate what he is going is say. It is not open for supplementary questions.

Mr. President I shall consider it.

REPORT OF THE COMMITTEE ON BRETTON-WOODS AGREEMENT

The Honourable Sir Archibald Rowlands (Finance Member): I had hoped to be in a position today to present the Bretton-Woods Fund and Bank Committee Report I am afraid I cannot present it today and hope that by tomorrow I will be able to present an interim Report.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): Sir, I am not at all certain that it will be possible for the Committee to place their Report before the House tomorrow There has been, I admit, a certain amount of delay But the question before the Committee is a most important one and I may tell the House that considerable discussions have gone on during the last few days, and, in addition to the discussion among the Members themselves, there have been discussions between the Honourable the Finance Member and certain Members on this side of the House It is not possible for me at this stage to tell the House in detail what has been discussed. The issues involved are major issues and we on this side of the House are trying to come to a decision on those issues primarily in the interests of India. I know that the Government of India in the recent past came to certain decisions regarding Bretton-Woods, and the plea put forward was that there was a date ahead. It is also said now that there is another date ahead, namely, a date for sending a person from here to attend a meeting which is fixed, I am told, for the 8th March. I recognize that in the past there was a date ahead and in the immediate future there is another date ahead. But the question is of such importance to the country as a whole that we cannot allow ourselves to be hustled into a decision. The main question which has to be decided is, what is in the interests of India and not what is in the interests of countries outside. In those circumstances, and, particularly, having regard to the fact that we do not find the Leader of the Muslim League Party or the Deputy Leader in the House, we find it difficult to come to a decision immediately. I would like the whole House to come to an agreed decision. You will appreciate, Sir, and I hope the House will appreciate, that in a matter of this kind a unanimous decision is most desirable. In those circumstances, I would suggest that, in the event of the Committee not being able to present their Report to the House tomorrow, a date subsequent to Saturday—a date suitable to the Government and the Opposition—may be fixed and the whole matter thrashed out. I thought it right, Sir, to tell you and the House that it may not be possible for us to come to a decision tomorrow.

Sir M. Ahmad Yamin Khan (Agra Division Muhammadan Rural): I think even if a Report is presented tomorrow it will not be fair to expect the House to discuss a matter of such vital importance immediately, that is, after receiving copies of the Report in the evening to come prepared in the morning and take part in the deliberations on these vital issues. It is even in the interests of the House and of the Members for fair and good debate and good expression of opinion that the discussion should not take place so soon. Members must have some opportunity to study properly what the Report is, what the implications are and what the Committee wants them to expect. And I quite agree with my friend the Leader of the Opposition that an opportunity must be given to the Muslim League Party also and that, when we have not got the Leader and the Deputy Leader present here and when many other Members are away from Delhi who are expected to arrive back here soon, they must also have an opportunity to see what is in the Report. Like him, Sir, under these circumstances, I feel that the debate should not take place on Saturday even if the Report is ready by tomorrow. Some other future date should be fixed.

Mr. Geoffrey W. Tyson (Bengal: European): On behalf of myself and the European Group I would like to say that we agree that the issues that are being raised are of a far-reaching and important character and that, if there is a possibility of a unanimous agreement, we would prefer that the debate should be postponed for some day, possibly till after the cut motions on the Budget are over.

Mr. President: The House seems to be almost unanimous.

The Honourable Sir Archibald Rowlands: I entirely agree that if the issues involved are to be considered carefully it would require notice to consider them. My colleagues on the Committee are sure to have discussion this afternoon. If the Report is presented tomorrow the House could discuss on Saturady one or two limited issues while the general questions can be considered afterwards.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): With all respect, may I point out that the limited issue to which the Honourable the Finance Member refers is the despatch of a representative of India to the first meeting of the governors of the proposed Funded Bank. Now, some of us still hold that India ought not to join this Bretton-Woods fund and bank, and ought not to incur this responsibility and liability until there are certain assurances and explanations with regard to the larger problem of sterling balances. I am very anxious that we should help, but I really do not see how we can separate the issues as the Honourable the Finance Member wants and how the narrow issue could be immediately determined. In joining the Bretton-Woods the Government acted on their own responsibility and they acted with the assistance of an Ordinance. If this Government desires, pending a decision of this House on this subject, to act on their own responsibility, it is their look-out, but I am afraid it would be very difficult, with all the willingness in the world to help, for us to separate the issues and to narrow down and to submit a report only on a small issue as to whether this gentleman representing India should go from here or not. This is a very real difficulty, I assure the House and I fear it will not be possible to separate the issue as such.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I did not want to intervene, but as two Members of the Committee have already spoken, I express my view point. As regards the main issue. I think there is little difference of opinion; but our differences are vital on subsidiary questions: for example, our sterling balances. As far as I am concerned I would not agree till I am assured that the sterling balances are not utilised for the benefit of a small community of billionaires but they are utilised for the benefit of the people of India as a whole . . . . . .

Mr. President: The Honourable Member need not go into the merits . . . .

Dr. Sir Zia Uddin Ahmad: But it has been raised on the floor of the House and I must reply on my behalf. I have seen from the statement made by the

Finance Member that the whole of the sterling balances have been used in such a manner that the Mussalmans have not been benefited . . . .

Mr. President: Order, order.

Shri Sarat Chandra Bose: May I add a few words to what I have already said? I am sure it is appreciated on all sides of the House that the question we have to deal with is a big one, and I may add, an intricate one. I do not think it is possible to deal with it piecemeal. This side of the House, I mean the Non-Official Members, have to be satisfied and satisfied thoroughly that what they are being asked by the Government to do today is in the interests of India; and, therefore, I think, if more time is given at this stage for a full discussion, it would save time in the long run. In these circumstances, I would suggest that the matter should not be hurried through. It is a most important matter—one of the most important matters that have ever come before this House. I would, therefore, suggest that no one should be hustled and that opportunity for full discussion among the Members of the different parties in the House should be given and that we should reach an agreement if we can.

Lt.-Col. Dr. J. C. Chatterjee (Nominated Non-Official): I merely want to ask for information, Sir whether on the specific narrow issue which the Honourable the Finance Member has referred to, it will not be possible for us to withdraw at any time, even if we send a governor to attend this meeting? I fully agree that the matter is of very great importance, but it has not been said that we are definitely going to refuse participation. What I want the Honourable the Finance Member to say is whether by sending a governor we are absolutely committed to participation, and whether it is necessary that a decision be taken on Saturday whether this member has to be sent or not, and also if that decision is not taken on Saturday it will be too late for India to participate in it.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): In answer to what my learned friend has said, may I remind him that as far as I can recall the decision of the House was that, pending the report of the Committee that was going to be set up, no further commitments should be made or action taken. If that is the position, I submit that the Committee itself would not be doing the right thing to take action which would commit his House, after the passing of that Resolution; and, therefore, as the Honourable the Leader of the Opposition has stated it is a very big issue, and nothing would be lost by waiting to get a complete discussion, and nothing would be lost by consulting all Parties before arriving at a final decision.

Mr. President: I think the matter has been sufficiently debated. So far as the importance of the matter is concerned, there seems to be no difference of opinion. What I feel troubled about is as to what will be the effect if a decision is not taken before a certain date. If that automatically means a negative vote of the House on the question of Bretton Woods, the situation might be perhaps complicated. But I have no idea of the merits. It is necessary to my mind that the fullest opportunity should be given for a discussion, and looking to the trend of opinions expressed I think it will not be possible to take the limited issue out of the wider question. That is what I clearly feel, and whatever the hopes of the Finance Member may be, I feel almost hopeless on the question of his being able to submit a unanimous report upon the limited issue tomorrow.

The Honourable Sir Archibald Rowlands: Can we at any rate wait till tomorrow, because my friends have agreed to have a short discussion tonight before we finally decide?

Mr. President: But in any case another question also is clear from this discussion, that even if the report is presented tomorrow—the Honourable the Finance Member said it would be an interim report and not the final one—but even if that is so, I find that the general desire of the Non-Official Members is that the discussion should not take place on Saturday the 23rd instant.

The Honourable Sir Archibald Rowlands: Perhaps we may wait until we know the nature of the interim report and then decide

Mr. President: Then we shall decide tomorrow whether to sit on Saturday or not. Till then the question will be kept hanging.

Sir Mohammad Yamin Khan: In any case the report will not be made available to the Members till late in the evening.

The Honourable Sir Archibald Rowlands: No; it will be available in the morning.

Mr. President: That point was clarified yesterday: he said he would keep the press working all night.

MERCHANT SEAMEN (LITIGATION) BILL

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I move for leave to introduce a Bill to provide for the special protection in respect of civil and revenue litigation of serving merchant seamen.

Mr. President: The question is:

"That leave be granted to introduce a Bill to provide for the special protection in respect of civil and revenue litigation of serving merchant seamen."

The motion was adopted.

The Honourable Dr. Sir M. Azizul Huque: Sir, I introduce the Bill.

INDIAN TRADE UNIONS (AMENDMENT) BILL

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I move for leave to introduce a Bill further to amend the Indian Trade Unions Act, 1926.

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Trade Unions Act, 1926."

The motion was adopted.

The Honourable Dr. B. R. Ambedkar: Sir, I introduce the Bill.

INSURANCE (AMENDMENT) BILL

Mr. President: Further consideration of the Bill to amend the Insurance Act, 1938, as reported by the Select Committee.

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I understand that there is a certain amount of discussion going on among the Congress Party as to the desirability of the amendment under discussion; and it is hoped, as the Honourable the Leader of the Opposition informs me, that there is a chance of a unanimous agreement, in which case the debate is likely to be very much curtailed; and I have been requested to place before you that we may proceed with the rest of the Bill leaving clause 20 for a later stage; the understanding is that this clause 20 will have first priority on the day when the Railway Suplementary Demands will be discussed, so that we can finish that clause first.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): The suggestion I made this morning to the Honourable Member in charge of the Bill is this—to allow consideration of clause 20 to stand over until the next convenient official date. As you must have felt from the debates that took place on the last occasion, there is some difference of opinion between the Treasury Benches and certain members on our side and I was asked to give my views on the matter in difference. I think after a discussion of the different points of view it is possible to come to an agreed conclusion regarding clause 20. In the circumstances, I support the suggestion to postpone consideration of this clause till the 28th. The other clauses may be disposed of in the usual course.

Mr. President: Mr. Abdur Rahman Siddiqi was in possession of the House. In view of the proposal to postpone consideration of clause 20 to the 28th, instant, does he wish to continue his speech?

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): As you command Sir. I can wait till the 28th although it will be too late. If amicable settlemendt is arrived at in the meantime, I may not speak at all. If they do not arrive at a settlement, then I will humbly request you to allow me to speak.

Mr. President: The Honourable Member will certainly have his say whether there is a unanimous conclusion or not. We shall take up the consideration of clause 20 on the 28th and proceed now with the other clauses.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): I wanted to take part in the discussion and I should certainly have been here if I had known that the Bill would be taken up on the 19th. The Standing Order says that the Report of a Select Committee shall be laid on the table of the House for seven days and as it was presented on the 14th, I did not expect it will come up before the 21st. I do not know whether you allowed the Standing Orders to be waived.

Mr. President: The Honourable Member's question is the result of his absence. In view of the arrangement about the Bretton Woods report and the fixing of Saturday or Thursday in the alternative, that is today, for the discussion of that report, it was the desire of the House that this Bill should be taken up and I therefore waived the notice.

Clause 21.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I move:

"That in sub-clause (c) of clause 21 of the Bill, in the proviso to the proposed sub-section (2A) of section 40, after the word 'lapsed' the words 'or has acquired a surrender value and is kept alive to the extent of the paid up sum insured' be inserted."

May I explain the original clause 1 and my amendment. What is said is that in cases where for non-payment of premia a policy lapses and it is revived not by the original agent but some other agent takes it up if the original agent even after notice commits default and is indifferent about it, it is to the company's advantage as also to the assured's advantage to see that the lapsed policy is revived. Whoever is the new gentleman who helps in reviving that policy does not get any premia now. The clause of the Bill enables the insurance company to give 50 per cent. of the premia which the old agent would get if he should continue the policy. That is the Bill as it stands.

My addition is this Under the Act of 1938, policies can lapse only if they are below three years of age. Policies after 3 years cannot lapse under the Act of 1938 They have acquired a surrender value and they continue to be in existence. The surrender value alone they will be entitled to at the time when the policy matures in the normal course. This clause does not refer to the agents who take interest in reviving or in restoring such policies. I want the benefit of this clause in the Bill to be extended to such policies also. Otherwise the benefit will be narrowed down only to the few cases where within three years after a policy is taken the policy is allowed to lapse. That is my object. It does not contravene the purposes of the clause of the Bill but only tries to enlarge the scope of that clause in the Bill. I move.

Mr. President: Before I put the amendment, I would invite the Honourable Member's attention to the fact that the word 'lapsed' occurs twice in the section. So, he should add after 'lapsed' "where it occurs for the first time".

Sri M. Ananthasayanam Ayyangar: Yes, Sir.

Mr. President: Amendment moved:

"That in sub-clause (c) of Clause 21 of the Bill, in the proviso to the proposed sub-section (2A) of section 40, after the word 'lapsed' where it occurs for the first time the words 'or has acquired a surrender value and is kept alive to the extent of the paid up sum insured' be inserted."

Mr. L. S. Vaidyanathan (Government of India: Nominated Official): In spite of what my Honourable friend has said, I am afraid I will have to oppose this amendment. He might remember that even at the Select Committee stage our position so far as this proviso was concerned was that we will take up an entirely neutral attitude and leave it to the two popular Parties of the House to decide whether or not they will have this proviso. As a matter of fact, I have received several telegrams from agents saying that it will be injurious to their interests and with much of what they say I am in sympathy. I will read only one:

"Section 2A, clause 21 of proposed Insurance Amendment Act 1946, must be deleted. If passed shall create innumerable difficulties. Agents will induce ignorant policyholders and especially relative to lapse polices temporarily. Shall increase lapse ratio. Same policies will be several times revived by different agents Shall create complications for insurance companies."

With much of this I am in agreement. This new clause was put in as a sort of a compromise because some insurance interests wanted it and we agreed although there has since appeared considerable opposition. My Honourable friend wants this privilege to be extended to policies which get lapsed, even after they have been in force for three years when they have acquired what is called a paid up value. Sir, in a policy that has been in force for three years or more the life assured himself has put in sufficient money and as soon as his financial condition improves, he will be more anxious than anybody else to revive the policy. So, it will require very little work for the new agent to induce the policyholder to revive the policy. In case, he fails to revive, the financial condition of the life assured is so bad that he cannot revive it at all So, Sir, in most cases of revival, the life assured himself will revive it and a new agent does not put in sufficient work, if at all, to entitle him to any remuneration. As I have read out to you, Sir, the complications that have been pointed out would be substantially enhanced if larger remuneration is paid and on this ground, the Government must oppose this amendment. As a matter of fact, had there been any proposition before the House for the deletion of this proviso, we would at least have kept neutral and possibly might have even supported it.

Sri M. Ananthasayanam Ayyangar: May I reply, with your permission, Sir? I submit, Sir, I was deceived by the Honourable Member's clause in the Bill. I thought if it was expedient, he would have consulted all the interests and made this provision in clause 21. He read out certain telegrams sent to him protesting against this very clause in the Bill. If so, he need not have included that clause in the Bill at all. Even now he is half-hearted. He has not tabled an amendment to delete the clause. He might have said so in the Select Committee. But it does not appear in the Notes on Clauses or in the Select Committee Report. I only wanted to enlarge the scope. If you start that way, you should do it to the logical conclusion. That is why I tabled this amendment, not with a view to go against the wishes of the framers of the Bill so far as that clause is concerned. If he is willing, that clause may be deleted. I am equally willing. Let there be no half-hearted measure so far as this Bill is concerned. If he wants this clause to stand, then this is one way of enlarging it. But I do not want to press this amendment. Let him make up his mind and tell us.

The Honourable Dr. Sir M. Azizul Huque: We have already informed the Honourable Member our attitude. So far as this clause is concerned, we made our views quite clear also in the Select Committee. My Honourable friend's amendment will actually aggravate the supposed danger which some people think there is in that clause. It is for that reason that we cannot possibly accept the amendment which the Honourable Member tabled.

Sri M. Ananthasayanam Ayyangar: I beg leave to withdraw my amendment.

The amendment was by leave of the Assembly withdrawn.

Mr. President: The next amendment is in the name of Pandit Govind Malaviya.

Mr. T. Chapman-Mortimer (Nominated: Non-official): Sir, I rise to a point of order. I received a copy of this amendment last night at a very late hour. I

should like in this connection to draw your attention to Standing Order 46 which rules that two days notice must be given of an amendment. This is a very technical Bill and amendments coming in at the last moment may not be easily considered.

Mr. President: The Chair has got a discretion in the matter and ordinarily where there is time enough to circulate amendments to Honourable Members, it will be done as quickly as possible. It may sometimes be a bit late in cyclostyling. The general policy I should like to follow will be in favour of amendments being allowed rather than being rejected on the technical ground of want of notice. The idea is to have the best possible legislation and a little discussion of new suggestions need not necessarily be debarred on the ground of strict technicalities. Of course, each case, I need not say, will have to be judged on its own facts.

Sri M. Ananthasayanam Ayyangar: In this case, there is a disability which was not anticipated before. Both my Honourable friends, Mr. Govind Malaviya and Shri Sri Prakasa, had gone into the provinces for other purposes and they did not expect that the day would be curtailed for presentation of the Select Committee Report. I had to send urgent message and as soon as my friend got the message, he came here by the next morning and tabled the amendment. If the time table could be advanced so far as presentation of Select Committee Report is concerned, equally there is no harm in retarding it.

Mr. President: That was no reason for sending late notice of the amendments.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, my Honourable friend has anticipated me and explained my difficulty. I was given to understand that the Bill would be taken up on the 21st only. But that is not relevant now.

Sir, I beg to move:

"That in sub-clause (c) of clause 21 of the Bill, in the proviso to the proposed sub-section (2A) of section 40, the word 'half' occurring in the ninth line be omitted."

Sir, I have not much to say about this because I hope there will be easy agreement on this point. This clause of the Bill proposes to allow a certain amount of commission to any Agent who may revive a lapsed policy. I take it, therefore, that the principle, namely, that if an Agent helps to revive a policy which had lapsed, if an Agent works to that end and succeeds in getting the lapsed policy revived, he should be paid some remuneration for that work. When that principle has been conceded, I do not see why only half the commission that was originally payable to the first Agent should be paid to this Agent. I do not know, Sir, why this has been done. Obviously, the only purpose behind this word 'half' can be to save that much of expenditure for insurance companies. I happen to be associated with the management of a humble insurance company. From the point of view of insurance companies, it should be advantageous to get business at only half the cost, indeed at no cost, to give nothing to the agents, to give nothing to others. They should be very happy to do that.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): And pocket the whole money yourself.

Pandit Govind Malaviya: I wish the Honourable Doctor would bear with me. Sir, that would no doubt benefit insurance companies. But, Sir, just because the thing happens to be advantageous to me, it should not be possible for me to suggest that it should necessarily be done, even though it might involve an injustice to another. The Agent of life insurance business, in my eyes, is a very very important and useful member of society. I think there can be few others who are more maligned and looked down upon in this country, than life insurance agents. Yet, with all that opprobrium, and, I might say, insult that he puts up with, he carries on his profession, and I suppose all honourable men carry on some profession or other to earn their livelihood. Therefore, it is the agent, I believe, who renders social service which nothing else can equal. For

[Pandit Govind Malaviya.]

a man of that type, when he works and revives a policy which had lapsed, in other words, when he re-covers the risk for a man's dependents and family, that he should not be paid what originally was being paid to another agent, that to my mind is unjust. It is true that by this, the insurance companies will be able to save a little money. But, there will be another difficulty; the result will be that many agents will not bother about it, and old policies will not be revived. I submit that since the principle has been accepted that an Agent who revives the policy should be given a commission, I see no reason why he should be deprived of half of that right, and therefore, I submit that this word 'half' should be deleted. I hope this proposal will find a ready acceptance at the hands of the insurance department.

Mr. President: Amendment moved:

"That in sub-clause (c) of clause 21 of the Bill, in the proviso to the proposed sub-section (2A) of section 40, the word 'half' occurring in the ninth line be omitted."

Mr. Abdur Rahman Siddiqi: Sir, the Honourable Member has argued against himself. Commission means payment for services rendered. The original agent brought in a new client to a company and then he slept over the policy, with the result that it became dead. Here is a Messiah who comes and puts new life into it. He will not do it unless he is paid for the service he has rendered. But as he has not rendered a hundred per cent. service, the original man having brought in the policy, he is given a correct and ligitimate remuneration for the little service he does, which has been fixed at 50 per cent. It is not unjust and in my view it is quite fair. Secondly, Sir, what will happen to the balance? That there is a legitimate question: Whether the insurance company will give it back to the life fund or whether the company will swallow it in its profits? My, own view is that the remaining 50 per cent. will go to the Life Fund. The particular agent may not get the remaining 50 per cent., but all the policyholders will get the benefit of this I consider this to be a very fair arrangement.

Mr. L. S. Vaidyanathan: Sir, we oppose it on the ground that the remuneration should be half and nothing more or nothing less. As a matter of fact much of the work is done at the time when the agent find out the prospective policyholder and canvasses him. The remuneration for that is the entire first year's premium and also part of the renewal premiums. The agent who revives a lapsed policy has substantially much less work to do than the original agent, and therefore that part of the remuneration which is based on the renewal premium for the original work done he is not entitled to. It is impossible to weigh the remuneration payable on revival with a golden pair of scales, but the remuneration should be less than half, and by putting it at half we err on the side of generosity

Sri M. Ananthasayanam Ayyangar: Sir, I submit that there is a fallacy in the arguments of both my Honourable friend who spoke just now and my Honourable friend who preceded him. As I remarked on the amendment which I moved and withdrew, this enabling provision refers only to policies which are three years old and below. Therefore, the trouble that the first agent takes is not very different from the trouble the next agent has to take within a period of three years. Further, the first agent who brings in the policyholder takes 40 per cent. of the first year's premium, and my Honourable friends know quite well that the first year's premium is out of all proportion to the subsequent renewal premiums. The commission on the first year's premium sometimes formerly amounted to 75 per cent, whereas on the renewal premiums his commission is less. It is not the same amount of commission that he gets on the renewal premiums as he gets on the first year's premium.

Mr. L. S. Vaidyanathan: What is the 75 per cent. that my Honourable friend referred to?

Sri M. Ananthasayanam Ayyangar: His commission used to come to even 75 per cent. on the first year's premium.

Mr. L. S. Vaidyanathan: It is limited to 40 per cent.

Sri M. Ananthasayanam Ayyangar: And what is the commission on the renewal premiums?

Mr. L. S. Vaidyanathan: Five per cent. is the maximum.

Sri M. Ananthasayanam Ayyangar: The first year's commission is eight times as much as the renewal commissions. But a person who goes and revives a dead policy gets only half of it. The man who renews the policy or assists in renewing it is not placed in the same position as the one who starts it or induces the policyholder to take out the policy. That is the fallacy that I am trying to point out. The first man takes 40 per cent. by way of commission, but the person who revives gets half of this 5 per cent. He must at least get this 5 per cent. It is not very unreasonable. Within a period of three years the trouble that one man has taken is not less than the trouble taken by the other man. If within three years the man commits a default it is as good as inducing him to take out a policy for the first time if revived. Therefore half will be too inadequate and he must get the full percentage.

Secondly, my Honourable friend raised a doubt which I had in my own mind. If the policy is dead there is no renewal premium subsequently paid and no question of renewal commission arises. But if it is revived and only 50 per cent. of the renewal commission is paid to the new agent, where does the balance of 50 per cent. go? There is no provision in the Act which says that it shall go only to the life fund or that it shall not be distributed as profits. So instead of this being divided as profits among the shareholders let it be taken by the agent who does all the field-work, and who has also to see that no more default is committed. There is no provident fund of any kind so far as this kind of persons are concerned. I agree that the original agent should get 50 per cent., but in spite of a notice to him he is indifferent and does not take any steps to have the policy revived, in such circumstances the original agent is not entitled to it but the new agent is entitled to the whole. The company should not get the advantage of the balance or make any profits out of it; it would be a sort of unearned income. I submit, Sir, that this 50 per cent. should be raised to 100 per cent

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I oppose this amendment. The reasons for my view have been ably given by my Honourable friend, Mr. Siddiqi. My Honourable friend, Mr. Ayyangar, says there is a fallacy in the suggestion that the new agent should get only half of the commission. The position is that the duties of the man who revives the policy is certainly less than 5 per cent. of the work done by the original agent He only advises the policyholder that by allowing the policy to lapse he has been a loser, and if he can convince him that financially he would gain that would be enough to renew the policy.

Then about the allocation of the fund it is not clear in the Bill. My Honourable friend, Mr Siddiqi, said that the chances are that it will go to the life fund. In that case it is more advantageous if it should go to the policy-holders than to the agent For these reasons I oppose the amendment

The Honourable Dr. Sir M. Azizul Huque: Sir, I think the point has been sufficiently debated. One cannot have an absolutely fine scale in human life so as to exactly find out the value of men's work; and so all this argument of 5 per cent and 40 per cent. as regards services is slightly beside the point. Unfortunately my Honourable friend, Mr. Ayyangar, has been trying to find out the fallacy of arguments but has fallen into a gross fallacy himself The very fact that the legislature intended that 40 per cent. should be the commission of a man for the first year and 5 per cent. for the renewals shows a realisation of the amount of work which the original man has to do in order to get the policy for the company. My Honourable friend will realise that an agent who

[Dr. Sir M. Azizul Huque.]

has to do it has not merely to find out; he has to select the man, then go to him—how many times is known to agents themselves—before he can get him to insure his life. Then the second man goes. All he does is 'go to office, find out which is the lapsed list and take it and go to him'. It makes a good deal of difference.

Sri M. Ananthasayanam Ayyangar: May I submit that the Bill contemplates a case where a medical examination has to take place and it is only in such cases that the other man is given 50 per cent. Therefore the trouble with respect to this man is as much as the trouble of the original man who gets only 5 per cent.

The Honourable Dr. Sir M. Azizul Huque: I did not know that getting a medical certificate was such a difficult thing I thought that the first thing is not the medical certificate, but to get the man to agree to renew his policy and unless the man is either in such a solvent condition that he cannot possibly meet his demand or a fool, he will ordinarily renew it if he is able to do so. Having regard to this, it is not possible for us, specially in view of the opinions which have subsequently been received, to agree to expand the provisions of this section.

Pandit Govind Malaviya: Sir, may I say a word . .

Mr. President: I do not think any reply is necessary now.

The question is:

"That in sub-clause (c) of clause 21 of the Bill, in the proviso to the proposed sub-section (2A) of section 40 the word 'half' occurring in the ninth line be omitted."

The motion was negatived.

Mr. President: The question is:

"That clause 21 stand part of the Bill."

The motion was adopted.

Clause 21 was added to the Bill

Sri R. Venkatasubha Reddiar (South Arcot *cum* Chingleput Non-Muhammadan Rural): Sir, I beg to move:

"That in Clause 22 of the Bill in sub-section (2) of Section 41, for the words 'one thousand', the words 'five hundred' be substituted."

Sir, there is a penal provision prohibiting payment of rebate under section 41. Sub-section (2) of the section provides, as it now stands, punishment of Rs 100 only. By this clause it is sought to raise it to Rs. 1,000, that is ten times the original provision in the Act My amendment proposes to restrict the amount to five times, *viz*, Rs 500 because if it is raised ten times it will create hardship and terror in the minds of people Sir, I move the amendment for the acceptance of the House.

Mr. President: Amendment moved

"That in Clause 22 of the Bill in sub-section (2) of Section 41, for the words 'one thousand', the words 'five hundred' be substituted."

The Honourable Dr. Sir M. Azizul Huque: I do not want to stand too much on this question of penalty. I leave this question to the decision of the House. We do not propose to oppose the amendment.

Mr. President: The question is:

"That in Clause 22 of the Bill in sub-section (2) of Section 41, for the words 'one thousand', the words 'five hundred' be substituted."

The motion was adopted.

Mr. President: The question is:

"That Clause 22, as amended, stand part of the Bill."

The motion was adopted.

Clause 22, as amended, was added to the Bill.

Clause 23 was added to the Bill.

Pandit Govind Malaviya: Sir, I beg to move:

"That in Clause 24 of the Bill, in the fifth line of the proposed Section 48A,—
(1) for the word 'any' the word 'the' be substituted; and
(2) the words 'for which he solicits or procures life insurance business', be added at the end."

The purpose of this section is that no life insurance agent who is securing any business of life insurance should be a director of any company. I wish to suggest that instead of having that sweeping disqualification we should say that he should not be a director of the company for which he solicits or procures that business. Sir, I move the amendment, and, if you will permit me, in my reply I will deal with any points which may be raised by any Honourable Member.

Mr. President: Amendment moved:

"That in Clause 24 of the Bill, in the fifth line of the proposed Section 48A,—
(1) for the word 'any' the word 'the' be substituted; and
(2) the words 'for which he solicits or procures life insurance business', be added at the end."

Mr. T. Chapman-Mortimer: Sir, this is really, if I may say so, an astonishing amendment. It seeks to allow a Director of life insurance company to do certain things on behalf of another life insurance company which is going to be denied to him in case of his own business. It is surely, Sir, a most improper thing that a Director of one company should be able to work for another company of exactly the same kind, and, as a matter of fact, it raises very much wider issues of law than the particular narrow issue which we are discussing now. I venture to suggest that my Honourable friend is under a misconception of the position in seeking to move an amendment of this kind and we in this Group would most certainly oppose it.

The Honourable Dr. Sir M. Azizul Huque: That is also my view so far as this amendment is concerned. That will cut across the whole texture of the Bill itself. The Bill wanted to do away with certain evils and if we allow an insurance agent of one company to go and, being an insurance agent of another company, be a director there, I think it will cut across the entire scheme of business of another company . . .

Pandit Govind Malaviya: How?

The Honourable Dr. Sir M. Azizul Huque: You are not entitled to be a member of a certain institution and you go to another exactly the same institution and be a member there. That is wrong. What is the difficulty then for an insurance agent to be a director of his own company? Sir, the advice that we have received shows that this is a dangerous thing, and I very strongly oppose this.

Pandit Govind Malaviya: Nobody should be surprised at the suggestion which I have made because we find things like that going on very well and satisfactorily everywhere. It is said that a life insurance agent of one company cannot be a director of another company. This is obviously due to lack of knowledge of how life insurance business is carried on and how life insurance companies have to be managed. In a life insurance company, an agent procures business for the company on certain terms. He has to be guided and controlled by the administration—by the management of that company. To that extent, therefore, I am prepared to concede that because that agent will be in the position of an agent of the directors of that company and terms of business will be existing between the two, it might create a difficulty if the same person has a dual capacity of being the director, namely, the employer, as well as the agent, namely, the employee. To that extent I can understand that view point. But I do not see any difficulty, in his being a director of another insurance company. If a life insurance company has to be run successfully it has to look to three or four aspects of things. One set of people who contribute to the life insurance business are the shareholders of a life insurance company. The others are the management. The third are the life policyholders and the fourth are the field force. As anybody, who has anything to do with the business

1 P.M.

[Pandit Govind Malaviya.]

of life insurance will tell you, Sir, the field force of a life insurance company is no less important than any other section of the life insurance business. I do not think that any life insurance company can manage to go on unless it is able to keep in the most minute touch with the requirements, the difficulties and the viewpoints of the field force, namely, the agents. Therefore, the fact that a man has worked as an agent, enables him to know practical things about the insurance business and therefore he can help to guide the insurance business in a manner in which no other person can. I do not think that there should have been any occasion or any need for an amendment like this in any insurance legislation for the simple reason that anybody would understand that an agent of the same company would not like to be on its directorate. But, probably, the reason for this new section is that the Honourable the Superintendent of Insurance has had a certain experience in his own life of certain agents of his company trying to get on the directorate of that company; and, realising the practical difficulties, (I speak subject to correction) and probably frightened by that fact, he has brought forward this general clause If that be so, I am prepared to agree to the extent of my amendment, *viz.*, that no agent can be a director in the company for which he works. To that extent, it will be a practical requirement. But, to ban all persons who have worked as agents, in other words all persons who have had a real experience of the work of life insurance, to lay down that no such person should be permitted to come upon the Board of Directors of any company will be a retrograde step which will really stand in the way of the progress of insurance, and I hope, therefore, that this House will not allow this sweeping ban to be put in and prevent people who have practical experience and the well being of the insurance business at heart, from being able to contribute their share to its progress and development

Mr. President: The question is:

"That in Clause 24 of the Bill, in the fifth line of the proposed Section 48A,—

(1) for the word 'any' the word 'the' be substituted; and

(2) the words 'for which he solicits or procures life insurance business', be added at the end."

The motion was negatived

Mr. President: The question is.

"That Clause 24 stand part of the Bill"

The motion was adopted.

Clause 24 was added to the Bill.

Clauses 25 to 48 were added to the Bill

The Honourable Dr. Sir M. Azizul Huque: As clause 20 has been left over, we can leave the Preamble and Title of the Bill and Clause 20 for the next day.

Mr. President: Yes.

ELECTION OF MEMBERS TO DEFENCE CONSULTATIVE COMMITTEE.

Mr. P. Mason (Government of India. Nominated Official): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, six non-official members to serve on the Defence Consultative Committee for the unexpired portion of the financial year 1945-46 and for the financial year 1946-47."

I do not wish to take up the time of the House for long in discussing this. I would like to recall the circumstances in which the Defence Consultative Committee was begun. It was in the spring of 1941, when the present War Member first came back to India as Commander-in-Chief that he expressed the desire to associate my Department more closely with the Legislature, or perhaps I should put it the other way round. At any rate, in order to know the views of the Legislature, he suggested that this Committee should be formed. Since then it has continued to function and has met every quarter

It is not actually and legally a standing Committee of the House but for all intents and purposes it is governed by the same rules. I think that every provision of the rules for a Standing Committee has, in fact, been observed in managing the affairs of this Committee. I have just glanced at the subjects which will be laid before Standing Committees, and they are:

(a) All Bills introduced or proposed to be introduced by non-official Members and legislative proposals which the Department concerned intends to undertake and on which the Member in charge desires the advice of the Committee;

(b) Reports on Committees and Commissions not including unpublished reports of departmental committees;

(c) Major questions of general policy on which the Member in charge desires the advice of the Committee;

(d) any other reports, and, with the approval of the Member in charge, any topic of public importance within the field of the Committee.

That is very wide and that is the line on which we have been working. I think if there are any Members present who have been Members of the Committee before, they will agree that every suggestion they have made for discussion has been met. We have discussed things with them very fully and freely and I think they would also bear tribute to the friendly and informal atmosphere in which these talks have gone on. They have certainly always seemed very friendly to me and we have very often been able to take the advice of the Committee and made improvements in our previous procedure.

Four subjects cross my mind, which we have discussed with the Committee. The Reorganisation Committee, India, discussed with the Committee practically every proposal that they had before them. There was a very long meeting lasting a day and a half on the proposals of the Reorganisation Committee alone. We also discussed the policy to be adopted with regard to the I. N. A. and that also was very helpful. Smaller points, but nonetheless very important, were also discussed. It was represented that a large number of young men who came forward for Commissions were unable to obtain commissions, because they had not had sufficient training in leadership and the formation of character. As a result of the recommendations in that respect put forward by the members of the Committee, the Commander-in-Chief decided to form a College at Nowgong, to which candidates were sent when they had appeared before a selection board and whom the Selection Board found to be not quite sufficiently developed in those characteristics and I am glad to say that the results of that College were magnificient. Practically every member after his course at the college was able to obtain a commission, having previously been rejected by the Selection Board.

Then there is the question of the Staff College. The Committee pointed out to us that the percentage of Indian officers who went to the Staff College was rather below the percentage to which they should be entitled on their comparative strength. The Commander-in-Chief took the view that not only should they have the full strength to which they were entitled on a proportionate basis but they should have a much greater proportion. It was thought necessary that as many Indian officers as possible should go to the Staff College. The number was raised to 47 out of a total of 84, which is more than 50 per cent.

There are a number of items to show the type of subjects discussed in the past but with regard to any items which members choose to raise, I think I can say that the Commander-in-Chief will be very glad to discuss them. If for any reason they cannot be discussed, he will explain the reason why.

There is just one other point. I see that there is an amendment to be moved to my motion changing the number from six to ten. There is of course, a certain number of members from the other Chamber. The previous number was ten. This will presumably raise the number altogether perhaps to 15. But if the House wishes that, I certainly would not oppose it.

Sir, I move.

Mr. President: Motion moved:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, six non-official members to serve on the Defence consultative Committee for the unexpired portion of the financial year 1945-46 and for the financial year 1946-47."

Sri Satya Narayan Sinha (Darbhanga *cum* Saran: Non-Muhammadan): Sir, I move:

"That in the original motion for the word 'six' the word 'ten' be substituted."

Mr. President: The question is:

"That in the original motion for the word 'six' the word 'ten' be substituted."

The motion was adopted.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (the Honourable Mr. G. V. Mavalankar), in the Chair.

Mr. M. Asaf Ali (Delhi: General): Sir, there would have been no need for me to rise this afternoon to comment on the motion which has been made by Mr. Philip Mason today. But unfortunately the press has more or less compelled me to get up today to dispel certain speculations that have been going round for some time. Before bringing up this motion Mr. Mason was good enough to invite me to a discussion of the various subjects that are likely to be brought up before this Committee. I naturally agreed and after a discussion we came to certain tentative conclusions in respect of which Mr. Mason wrote me a letter which I may read out—I hope he will have no objection to my publicly reading it this afternoon.

Mr. P. Mason: None.

Mr. M. Asaf Ali: He wrote me a letter which may be of some interest to the House and to the public generally. This letter is dated the 4th of February. It runs as follows:

"This is in continuation of our conversation of last Tuesday morning. I explained to H. E. the Commander-in-Chief that I had told you the kind of work the Defence Consultative Committee had been doing and that you expressed the view that should your party agree to take part in such a Committee (regarding which of course you could not commit yourself) they would certainly wish to discuss matters of the very widest nature in relation to the defence of India, and would not be content to discuss details. You recognised that so long as the War Member is also Commander-in-Chief, such a Committee could only be consultative; and you also added that you felt personally that in the short remaining period for which this arrangement would continue, the greater consultation there could be between the Commander-in-Chief and the elected representatives of the people, the better.

I explained this to H. E. the Commander-in-Chief who authorises me to say that while the Committee must continue to be consultative, he would welcome discussion on the broadest aspects of strategy and organisation. He would be very glad to see you at his house and discuss the whole question, and I suggest as a possible time and date 3 P.M. . . . . .

I attach a brief note giving some of the subjects discussed with the Defence Consultative Committee during the past year with some indication of the results. As you said at the time, these are in a sense matters of detail, but, of course, the armed forces are built up from matters of detail and I think that in future even if we also have discussions on the widest strategical and military problems, it will be of advantage to refer to the Committee many questions of this nature as well."

So it was in connection with this subject that I afterwards met His Excellency the Commander-in-Chief and we had more than one meeting—in fact I met him on two occasions. Somehow the press got wind of it. I did not want any publicity for the simple reason that only results could be made public. A rumour went round that secret talks were taking place between the Commander-in-Chief and myself and that I had agreed to the retention of the British troops by Free India. I can now speaking from my place in the House, contradict both these rumours which had absolutely no foundation whatsoever. There was no question of secret talks and there was no question of the British troops remaining in India either today or tomorrow. None of these questions were being discussed. In fact, what was being discussed was the scope and functions of the Consultative Committee and naturally many other subjects came up which were of a connected nature. Sir, I am very glad that Mr. Mason has given to the House the very same assurance and it makes our task easier.

The history of the Defence Consultative Committee may be traced right back to 1935. When we first came into this House we wanted a Standing Committee. But at that time they thought it would be rather presemptuous on

our parts to seek to advise the Defence Department on matters about which we knew nothing but about which we were complaining all the time that the Government were not consulting us. We repeated our efforts later, and on one occasion I believe it was in 1936 as Mr. Mangal Singh will bear me out (*Sardar Mangal Singh*: "It was in 1936)"—the House carried a resolution almost unanimously, which recommended to the Governor General in Council that a Standing Committee for Defence should be set up. But it took the Government another five years to reconsider the position. However, I am very glad that in 1941, it took shape—I believe it was the present Commander-in-Chief who thought of setting up this Committee. It may not be a Standing Committee, Sir, but I am glad that Mr. Mason has assured us that this Committee will be governed by the rules that apply to Standing Committees generally. The defence of India is the most vital subject in which the country is interested and with which the representatives of the country must be very closely associated. As it happens, since 1941, I believe the Defence Department has been split into two sections: the War Department and the Defence Department. The Defence portfolio is held by one Member and the War Member is the Commander-in-Chief. The subjects entrusted to the Defence Department are just a few which have nothing to do with operational matters or with the organization as such. But I take it that this committee will be allowed to look into both the Departments.

Mr. P. Mason: May I explain, Sir? There is no longer a Defence Department. Practically all the functions of the Defence Department were taken over once more by the War Department about two months ago.

Mr. M. Asaf Ali: I am glad that Mr. Mason has corrected me Has the Defence portfolio been abolished?

Mr. P. Mason: Yes.

Mr. M. Asaf Ali: I am very glad to hear it because that is exactly what we want. We want, whenever we take over from the War Department, to take over the whole thing and not piecemeal. We do not want the Defence Department to be separated from the War Department: we want the whole of it to be handed over to us as soon as possible. That being so, it is only reasonable that a nucleus should be created in the House, a nucleus of elected Members who should be familiarised with the working of the entire Department, so that they may take part in the shaping of the policy of the Department a little more intelligently than they can when they are utterly ignorant of things which may be happening. It is from that point of view that I welcome the motion which has been made by Mr. Mason, and I also support the amendment that has been proposed by my Honourable friend, the Chief Whip of the Party. It will give the House an opportunity of sending more Members to this committee, and the more in my opinion the merrier, though I should not like it to be overcrowded.

Mr. President: I now put to the House the amended motion:

The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, ten non-official members to serve on the Defence Consultative Committee for the unexpired portion of the financial year 1945-46 and for the financial year 1946-47."

The motion was adopted.

Mr. President: I have to inform Honourable Members that for the purpose of election of Members to the Defence Consultative Committee, the Notice Office will be open to receive nominations upto 12 Noon on Saturday, the 23rd February, and that the election, if necessary, will be held on Tuesday, the 26th February. The election, which will be conducted in accordance with the Regulations for holding of elections by means of the single transferable vote, will be held in the Assistant Secretary's room in the Council House, between the hours of 10-30 A.M. and 1 P.M.

The Honourable Dr. B. R. Ambedkar (Labour Member): Mr. President, I move:

"That the Bill further to amend the Factories Act, 1934, be taken into consideration."

The Bill has altogether seven clauses; but of these seven clauses there are only two which are fundamental. They are clause 2 and clause 7 of the Bill. These two clauses deal with two separate questions. Clause 2 deals with the question of reduction in the hours of work and clause 7 deals with the rate of payment for overtime.

Taking for consideration the first question, namely, the reduction in the hours of work, I would like to state to the House what the present position is. The present position is that under section 34 of the Factories Act, for perennial factories the maximum hours of work per week are fixed at 54, while for the non-perennial or seasonal factories the total is 60 hours a week. Clause 2 of the Bill proposes to make changes in the maximum hours of work fixed by section 34: for perennial factories the maximum is fixed at 48, while for the seasonal factories the maximum is fixed at 54. It might be desirable to mention to the House why Government has thought it necessary to bring this amending measure.

As some members of the House will remember, this question regarding the hours of work in factories was considered for the first time in a convention which was held in Washington in the year 1919. The convention fixed 48 hours as the maximum for factory labour, but on account of the special conditions prevalent in India, the conference agreed to allow India to retain the maximum of 60 hours, which was then prevalent. Consequently, the Government of India allowed the 60 hours limit to continue. The matter was then examined by the Royal Commission on Labour, and the Royal Commission on Labour recommended that although the international convention did not put any obligation upon the Government of India to bring the factory law in consonance with the convention established in Washington, they recommended that nonetheless it was necessary that the hours of labour in India should be fixed at 54. That recommendation was accepted by the Government of India and an amending Bill was brought in the year 1934, under which the present maximum which is fixed by section 34 was brought into operation. The Government of India now think that time and circumstances have arisen whereby it is necessary that the Indian factory workers should be allowed the benefit of the maximum hours of labour that were fixed by the Washington Convention; and that is the reason why this Bill has been brought forward.

I need not elaborate the reasons why Government regards this matter as somewhat emergent. But I might mention briefly the considerations that have moved the Government of India to bring forward this measure. I think it will be agreed that apart from other considerations, if one were to take into account only the climatic conditions that prevail in this country, it would be agreed that for that, if for no other reason, the hours of work in a country like India ought to be much less than the hours of work that are prevalent in other countries. There is also the other reason, namely, that during the war, under section 8 of the Ordinance, we had permitted the provincial governments to allow many exemptions from the provisions of the Factories Act which had the effect of increasing the hours of work for factory labour, and the Government thinks that the strain arising from the extension of the hours of work during the period of the war was so great that it is necessary in the interests of the health of the workers that they ought to be now granted a substantial relief. I might also mention to the House that the Government also thinks that this measure will have some salutary effect in the matter of relieving unemployment which is likely to arise as a result of retrenchment. If 48 hours and 54 hours which have been fixed by the present Bill . . .

Sjt. N. V. Gadgil (Bombay Central: Division: Non-Muhammadan Rural): Make it 40.

The Honourable Dr. B. R. Ambedkar: . . . . . were to be of universal operation. it is, I think, logical that more people would be employed than are employed now and that to some extent it would be a relief in our post-war difficulties. Some members are probably thinking that this might be a very radical measure. I would like to disabuse them of any such notion. The Bill does not make any radical change in the practice which exists at present and I would like to give the House some figures in order to show to what extent 48 hours in perennial factories and 54 hours in seasonal factories have become the order of the day. In the year 1939, there were altogether—I am giving figures of perennial factories—8,644 factories. Of them 2,315 were working at the rate of 48 hours a week which gives a percentage of 27 per cent In 1940, the total number of factories was 8,115 and those that worked on 48 hours were 2,525 which gives 28 per cent of the total. In 1941, the total was 10,261. Those that worked on 48 hours were 2,921 which was 29 per cent. In 1942, the total was 10,483. Those that worked on 48 hours was 2,687 which gives a total of 26 per cent. In 1943, the total was 11,239. Those that worked on 48 was 2,761, which gives a total of 25 per cent. In 1944, that total was 11,835 Those that worked on 48 hours was 3,191 which gives a total of 27 per cent. The same facts with regard to seasonal factories are as follows. In 1939, there were 6,252 factories. Of them 2,409 worked on a basis of 54 hours which gives 39 per cent. In 1940, the total was 6,239. Of them 2,440 worked on the basis of 54 hours, which is again a total of 39. In 1941, the total was 6,265. Of them 2,439 worked on 54 hours which again is a percentage of 39. In 1942, the total was 5,925 Those that worked 54 was 2,358 which gives 40 as the percentage. In 1943, the total was 6,255 Of them 2,398 worked on a basis of 54 which gives a percentage of 40. In 1944, the total was 5,950 and of them 2,368 worked at the rate of 54. That gives 40. (*An Honourable Member*: "The rest is more than 54 hours"?) Not beyond the maximum but above the figures now fixed in the Bill

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural). What is the number of men employed?

The Honourable Dr. B. R. Ambedkar: I am coming to that. Looking at the matter from the point of view of the hands, we unfortunately have not got very complete data but from the reports of the Fact Finding Committee which the Government of India appointed recently the figures collected stand as follows. The total factory hands both in seasonal and non-seasonal factories comes to 25,20,251. These are the latest figures for 1945. Those that were employed in factories working at 48 to 54 comes to 9,47,000, which is 37 per cent, of the total. It will therefore be seen that there are already a great number of factories both perennial and seasonal which have practically adopted the maximum which is now fixed in the Bill and from that point of view it cannot be said that the Bill is making any very great radical change in the situation as it exists today.

There is one other point which has been raised by the critics of the Bill to which I would like to give a reply. It has been said that this Bill will affect production, and that it will reduce production and this point has been emphasized, if I may say so, by the cotton textile mills. They have contended that from their point of view and from the point of view of the country this is an inopportune measure. There is a great deal of shortage of cloth in the country. In fact there is a cloth famine and they say that if anything was necessary in the circumstances of the day, the mills, particularly the Cotton mills, ought to have greater latitude in the matter of hours of employment, so that the deficiency in the matter of cloth production might be made up. Now, I had an examination made of the effect of the reduction in the hours of labour on production, particularly with regard to the cotton mills by the Labour Department and I have here some very interesting figures. I have a great lot of figures but I do not want to weary the House with them but I will just refer to the consumption of cotton, increase of loom, spindles and so on, so that the House may get an idea. Now, I take the figure for the year 1934, the year in

[Dr. B. R. Ambedkar.]

which the change in the hours of work was made last time. They were brought down from 60 to 54. Now, in 1934, the position was as follows. There were 352 mills. There were 9,613,174 spindles, 194,388 looms, 384,988 hands employed and the number of cotton bales consumed was 2,703,994. Take the next year, 1935, when the provisions of the Act became effective. The number of mills had increased to 365. Spindles had increased to 9,685,175.

3 P.M. Looms had increased to 198,867. The number of hands employed increased to 414,884 and the bales consumed increased to 3,123,418. I will take the last year available to me, that is 1938. The total number of mills had increased to 380. The number of spindles had increased to 1,020,275.

Shri Sri Prakasa: Will the Honourable Member give them in lakhs?

The Honourable Dr. B. R. Ambedkar: They are all given here in millions. The notation which I am using is quite familiar to the Honourable Member on the other side. He is not so ignorant as he is showing himself to be.

The number of looms is 200,286; hands employed were 437,690, the number of cotton bale consumed 3,662,648. Therefore, my submission is that so far as experience of the past is any guide to the consequences of the future, I am sure that any such fear that may be entertained is unfounded. However, the Government of India does recognise that there is cloth famine, if not famine, there is shortage of cloth and that under the circumstances, it would be necessary to make some provision, so that should occasion arise, the mills or the other establishments which require longer hours to work may have the liberty to do so Accordingly, there has been inserted in the Bill a clause which is clause 5 and which amends section 44. It will be seen from the wording of the clause that power is given to the Provincial Government to extent the operation of the order for six months at a time, it was proved that public interest as distinguished from emergency existed. There is already provision for suspending the provisions of the Factory Act whenever there is emergency. It was felt that the shortage of cloth may not be regarded as an emergency and consequently provincial governments may not be in a position to use the sections which exist at present in the Act. Consequently as a measure of greater precaution, the Government has inserted in the Bill a clause which now makes provision for another category of situation which is called public interest. So, I hope that that clause will allay such fears as the cotton textile millowners may have with regard to the effect of the Bill on the production of cloth.

Sir, the other clauses, namely, clauses 3, 4 and 6 are purely consequential. Clause 3 reduces the daily maximum from 11 to 9 for perennial factories and from 11 to 10 for seasonal factories. That is in consonance with the major change which we are making by fixing a new maxima for perennial and seasonal factories. Clauses 4 and 6 merely reduce the spread over from 13 hours to 12 and I am sure they need no comment from me. With regard to the second main provision of the Bill which as I said deals with the rate of payment for overtime, Honourable Members will see that the existing Factory Act does not have a uniform rule with regard to payment of overtime. In fact, there are two different rules, one for perennial factory and the other for seasonal factory. For the seasonal factory, if the hours of work are above 60, then he gets 1½. For the non-seasonal factory, there are really two different rates. If the working hours are between 54 to 60, then the overtime is 1¼ times, if it is above 60, it is 1½ times. As Government thinks that as this distinction or differentiation in the rates of payment of overtime is unjustifiable, that it is desirable that there ought to be one single rule for overtime, irrespective of the nature of the factory, to which the rule applies. Consequently the amendment in the Bill proposes that for all overtime, the rates should be one and a half times. I hope that the House will realise that this is a simple measure—that it is a measure long overdue and that it will give its support to this belated measure of bringing Indian legislation in accord with the standards laid down by the International convention. Sir, I move.

Mr. President: Motion moved:

"That the Bill further to amend the Factories Act, 1934, be taken into consideration."

Sri R. Venkatasubba Reddiar (South Arcot cum Chingleput: Non-Muhammadan Rural): Sir, I move:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asok Roy, the Honourable Dr. B. R. Ambedkar, Prof. N. G. Ranga, Sjt. N. V. Gadgil, Mr. Vadilal Lallubhai, Diwan Chaman Lall, Pandit Balkrishna Sharma, Mr. Muhammad Naumar Mr. Muhammad M. Killedar, Sir Hassan Suhrawardy, Mr. S. C. Joshi, Mr. A. C. Inski, Miss Maniben Kara, Mr. S. Guruswami, Chaudhry Sri Chand, and the Mover, with instructions to report on or before the 7th March, 1946, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, if I propose that the Bill be referred to a Select Committee, it is not that I want to hold back the progress of the Bill for any length of time from the consideration of this House. The Honourable Member for Government has not stated whether he called for public opinion on this measure, at any rate the opinion from all sections which are interested or which are affected by this measure. If any opinion has been received, he has not circulated that. Some Members think that this Bill should go a little further than what is now proposed. Throughout the world the labour has been demanding for still shorter hours. It has taken more than 26 years to reach the hours of work per week which the Washington conference speaks. Now, Sir, at a late stage this Bill has come. My amendment to refer the Bill to the Select Committee will not jeopardise the passage of this Bill through this House for a long time. I only ask that this Bill should be considered in the Select Committee and returned to this House before 7th March 1946, that is within two weeks from today. Sir, I move

Mr. President: Amendment moved:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. B. R. Ambedkar, Prof. N. G. Ranga, Sjt. N. V. Gadgil, Mr. Vadilal Lallubhai, Diwan Chaman Lall, Pandit Balkrishna Sharma, Mr. Muhammad Nauman, Mr. Muhammad M. Killedar, Sir Hassan Suhrawardy, Mr. S. C. Joshi, Mr. A. C. Inskip, Miss Maniben Kara, Mr. S. Guruswami, Chaudhry Sri Chand, and the Mover, with instructions to report on or before the 7th March, 1946, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Miss Maniben Kara (Nominated Non-Official): Sir, I stand to oppose this amendment. While on the one side the Honourable Member has stated that he for one would want the hours of work to be still reduced from what has been proposed by the Honourable Labour Member, he has on the other hand proposed an amendment that the matter should be referred to a select committee, which will only mean delay. The question has been very ably stated by the Labour Member and he has also shown the urgency of implementing this Bill as early as possible. The necessity of getting this Bill through has been very well explained. The Labour Member has also assured that some safeguard has been kept for the textile mills, because of cloth famine. I see no reason why any group or any party should oppose this Bill which is really a belated measure. As a matter of fact if we compare the hours of work in this country with those in any other countries, it will be found, as was pointed out by the Labour Member, that our country needs to go much further ahead. Regarding the reduction of hours of work there ought not to be any difference of opinion. I therefore appeal on behalf of labour that the Congress as well as the other parties in this House should unite in getting this Bill passed. I will also make a suggestion, that because this Bill deals only with workers in factories, provision should be made for workers in other industries. I take this opportunity to appeal to the Labour Member that he will not forget the workers in the railways and mines; other Bills should be brought forward on their behalf and I hope the bills will receive the support of this House.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, I think I must congratulate the Honourable lady who has just spoken on her desire to expedite the passage of this Bill through this House. But she forgets that the reason why this amendment has been tabled is to enable this House further to consider the position as explained by the Labour Member. I must also

[Diwan Chaman Lall]

congratulate the Labour Member on the very lucid—though brief—exposition of the history of this subject. The point why this amendment has been tabled is not that we intend to delay the passage of this measure, not that we want to obstruct the passage of labour legislation, but to find out if it is possible to assist my Honourable friend who has tabled this motion to reduce the hours of work still further. And I am surprised at my Honourable friend, the nominated lady in this House who is supposed to represent labour, that she accepts without demur the proposition that women should be allowed to work in seasonal factories for 54 hours a week. Does she not consider that the time has come when, at all costs, she should stand for the legitimate rights of her own kind working in these factories? Does she not consider that the time has arrived when we should take a step forward in that respect? My Honourable friend the Labour Member was not quite right when he made a reference to the Washington Convention of 1919, or rather that he was not quite complete in the statement that he made. The Washington Convention considered this matter in 1919 and came to the conclusion that because of the special circumstances prevailing in a country like India there must be a sixty-hour week.

[At this stage Mr President vacated the Chair which was then occupied by Mr Deputy President (Sir Mohammad Yamin Khan).]

Sir, it is a most extraordinary proposition. The special conditions that prevail in India, the climatic conditions to which my Honourable friend referred are such that it should enable well-wishers of Labour throughout the world to demand a lower working week in India than in other countries like Great Britain and France. And yet the people who assembled in Washington agreed because of these special conditions, to have a sixty-hour week. But at the same time—and that is why I said that the Honourable Member's statement was not complete—it was decided that this matter should be referred again to and reconsidered at a future meeting of the General Conference. It was contemplated that if a sixty-hour week was not right for India it should be reconsidered at a future meeting of the General Conference.

The Honourable Dr. B. R. Ambedkar: It was not done.

Diwan Chaman Lall: Of course it was not done; that is my point. The point is that they were not final as far as this question was concerned, whereas from that year 1919 onwards the position has been accepted or was accepted until the Royal Commission on Labour reported to be final. A sixty hour week was considered to be right for India whereas a forty eight hour week was considered right for England and a forty hour week was thought to be right for France. That time for reconsideration never came but it was considered by the Royal Commission on Labour which looked into this matter. My Honourable friend referred to the Royal Commission on Labour. Fortunately or unfortunately I with another friend who is not in the House but whom I see seated in the official gallary, was a member of that Commission and we did recommend in a minority report or rather in a note of dissent that the hours of work should be reduced to 48 in those circumstances. Sir, that was 15 years ago. Prefacing my assent to the Royal Commission's report I stated that I agreed to the demands as they have been accepted by the Commission and the last paragraph of that report says, referring to me that

> "He desires to add that opinions must differ regarding the conclusions to be drawn from the evidence and he regards the recommendations as the minimum which should be enforced without delay."

That was 15 years ago. Much water, as my Honourable friend said, has flown down the Jumna Bridge since then and we are now faced, or may be faced, with a very serious problem of unemployment. My Honourable friend referred to that problem and he said that we must not consider this measure to be a radical measure; it is a measure which is designed also to meet the problem of unemployment. Quite right; but how does it meet the problem of unemployment? In the next breath my Honourable friend—as he did quite

rightly—laid down figures showing that there are from 25 to 40 per cent. of workers employed in these factories already working up to 48 hours a week; and let me add further that there are industries in which workers are working much less than 48 hours a week. If my Honourable friend studies—as in course of time he will no doubt study—the position of railways, he will find that the hours of work for a long number of years have been much lower than 48. It is only in exceptional cases that the hours are long, it is only where the Washington and Geneva Conventions have not been applied though they should have been applied that he will find the hours of work long. But you take even the jute mills and the coal mines, there the workers themselves have enforced a maximum limit upon themselves because of the difficulties of labour both in the jute mills and coal mines. There again he will find that the hours are much shorter than 48 no matter what the legal maximum; and it is for that reason that I direct the attention of my Honourable friend who opposed this amendment to the fact that there is a case for a lower working week than the week which my Honourable friend has suggested on the floor of this House. And it is a problem that we must not only consider but carefully weigh to find out whether it is possible today to get to a lower working week than that which has been suggested. And why do I say this? It is true that we are going to be taxed, and we may be faced with serious retrenchment and serious unemployment in the country. If the position already is that a large number of workers are working on the basis of 48 hours or less, how does it help to solve the problem of unemployment if you merely stabilise by law what the position is in practice. If you want to meet the problem of retrenchment and unemployment it is up to you to reduce the hours of work still further. My Honourable friend therefore quite rightly said it is not a radical measure. We want this amendment, we want this Select Committee to meet in order to make it a radical measure. I understand my Honourable friend belongs to the Radical Democratic Party and she is against making the measure a radical measure. I am rather surprised at the speech that she delivered.

There are other considerations, Mr. Deputy President, why this measure must go to the Select Committee. There is the problem of payment for overtime. My Honourable friend has increased it from 1¼ to 1½ and stabilised it for all categories at 1½. In some categories it is 1½, in others it is 1¾. My Honourable friend over there objected to this motion; she is against making it double. I ask her, does she object to doubling this?

Miss Maniben Kara: I will give my reply, Mr. Deputy President.

Diwan Chaman Lall: My Honourable friend should take this opportunity to revise her verdict. If she has not studied this carefully, she will have an opportunity in the Select Committee to examine this, and I am sure she will realize that in the interest of the labouring classes it is necessary to double this payment.

Then there is the question of spread over. Spread over is a problem; it has been a serious problem of the jute industry as my Honourable friend knows. Men have been found there working for 13 hours practically at a stretch; because they are unable to take their rest in their own homes they must lie down in the factories. These problems have to be settled and I therefore think that the entire Factories Act needs very radical changes, and the time must come and must come soon when this Act must be amended and made more humane and more civilized.

My point of view is a very simple one. As far as this measure is concerned, and all such measures, I, on the floor of this House, on behalf of my colleagues, welcome all such measures which are meant and designed to ameliorate the condition of the working classes. But at the same time we want to go a step beyond the step taken by my Honourable friend. We want to do full justice to the working classes and if we can, by virtue of sending this measure to the Select Committee, discuss the various aspects of this measure with a view to improve those aspects, there should be none in this House to say no to us and I want the support of every Member on the floor of this House for this proposition. That is why I commend this particular amendment to the House.

[Diwan Chaman Lall]

The time has come to note that the working classes are not going to be satisfied with half hearted measures. The working classes are now determined to come into their own, as they must come into their own. Swaraj, freedom and independence mean nothing to me unless they also mean swaraj, freedom and independence to the working classes in the country. For them it is that we labour, for them it is that we suffer, for them it is that we put forth our voice in order that they may come into their own. And, therefore, I suggest that the time has come when this particular measure too should be so amended that it will meet the circumstances of the situation and be acceptable to the working classes.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Before I speak on the subject, I would like the Honourable Member to give me the figures. He said that there are 5,930 factories employing 25,291 men. Am I right?

The Honourable Dr. B. R. Ambedkar: What figures my Honourable friend is referring to?

Dr. Sir Zia Uddin Ahmad: You said that the total number of men now employed in all the factories is 25,291.

The Honourable Dr. B. R. Ambedkar: I said 25,20,000

Dr. Sir Zia Uddin Ahmad: Sir, my Honourable friend, Mr Chaman Lall, does not go far enough for the benefit of labour. Ever since we had the Labour Commission, we have been having at least ten Bills every year in connection with the labour improvement, but I think we are catching the wrong end of the stick. We have not fully realized how the labour is moving throughout the world. The little bit which we are doing from time to time—diminishing hours of work, increasing the wages, making strikes legal, and such other measures—will not solve the real problem. Labour throughout the world after the war will not be satisfied with these few pieces of morsels which we put in their mouth; this is what labour is saying everywhere. Russia has taken the lead, and also some other countries. Labour is now thinking in this way 'We produce wealth; the capitalist has inherited some money from his father; he had no business to own that money; I am the person who produce the wealth' This is now the feeling of labour. If we examine the Communist ideas, we find that the fundamental idea is that you cannot employ labour for producing wealth and pocket yourself.

Shri Sri Prakasa: Labour produces a mouse!

Dr. Sir Zia Uddin Ahmad: This is the view that labour is taking that the capitalist has no right to employ the labour because he happens to own some money, and that the capitalist earns the money on account of the efforts of the labourer for which he pays him a few annas which is not even sufficient to maintain him. Labour will not accept this position any more.

There are only two ways in which you can solve this question satisfactorily. It cannot be done by piecemeal legislation as we are doing. We must follow the Communist method. The Communist doctrine is that your cannot use labour for the production of wealth for yourself; the wealth so produced must belong to the whole community. If you don't do that, people will not be satisfied with those leaders, who are representing them in order to make their own careers and not to help them—to them leadership is a fashion. The other method which was adopted by Germany was to make labourers business partners in the firm. Whatever profit is earned, it must be distributed in a certain proportion between the labourers, directors, officers and the capitalists. It is not sufficient that you should pay him a certain amount, and if he over-works, then double. There has been a good deal of discussion in the House as to whether payment for overwork should be double, one and a half, or one and a quarter, but I may tell you that labour will not be satisfied. They say, they should be partners in whatever they help to produce. Therefore I think that you should make them business

partners as Germany did before Great War or you should follow the Communist doctrine that no person should be able to employ labour unless the whole of the income goes to the community, and not to the capitalist. Half measures which we have been adopting are wrong. I am sorry my friend the Honourable the Labour Member who has been guiding the destimes of labour for such a long time has been struggling in the low atmosphere by piece-meal legislation for labour. But labourers will not be satisfied. The time is moving fast and they will now demand on account of the prevailing influence of Russia and other doctrines that we should take strong measures to improve the condition of labour.

One thing, which I said, is absolutely necessary is that you should take the labourer in as a business partner. The capitalist should have only the bank rate of interest as profit. Instead of that they are having 200 and 300 per cent. as their dividend declared by several mills, especially those mills who really cry most, namely, the textile mills. They are the greatest sinners in India for the employment of labour. Not only that, but also in connection with the consumers, and shareholders and everybody. We ought to see beforehand how the world is moving and how it will shape. These conferences at Washington and at Geneva and elsewhere are not satisfactory solutions of the problem. We have to choose one of these two methods and you will have to abide by it whether you are India or any other country. Either you follow the Communist theory which is this: that you cannot employ labour for personal productive objects. You can use labour for your own benefit but not for the production of wealth, and if any labour produces wealth, it should go to community as a whole. Or, adopt the policy Germany followed before the Great war, namely, that the capitalist was entitled to a bank rate of interest, the workers had their living wages according to their status. This minimum which was guaranteed and paid weekly and afterwards whenever there was a profit it was divided equitably in certain proportion between the workers, the directors, the managers and the capitalists themselves.

This is the method which you ought to adopt and I hope the Honourable the Labour Member will take the lead in this matter. He is bold enough in many other things. I have seen his bold speeches but in his own particular work, where he stands as a champion of labour, he is not bold enough. He follows the rut laid out by the Royal Commission on Labour and by his predecessors though he tries to move a little faster. He should see how the world is moving and you have to adopt dynamic policy; tell the capitalists that the time is not distant when all their factories will be destroyed and burnt and everything will be looted, and this is a thing which is bound to come unless you look after the interests of the workmen. To give them 54 or 60 hours work a week, for which Jamnadas Mehta is fighting, is not good enough. It may satisfy them for few years but it will not satisfy them after ten years because the current of opinion from Russia is going on all over the world and affecting the labour people all over the country, and this is a thing which you ought to foresee and I wish the Honourable Member will come out with a bold legislation and say that no company shall ever declare a dividend beyond the bank rate of interest. That should be the maximum. The second thing is that all the profit should be distributed in an equitable manner between the workers, the directors and the capitalists themselves.

There is one thing which labour is considering and my Honourable friend, the Labour Member has hardly realised it. Suppose a capitalist invests a hundred rupees in any business or industry.

The Honourable Dr. B. R. Ambedkar: I wonder if this is all relevant to the Bill.

Mr. Deputy President: Order, order. I do not know if the Honourable Member is speaking on the amendment or on the real motion.

Dr. Sir Zia Uddin Ahmad: I am expressing and developing the feelings of labour, which I am going to describe. The feeling of the labourers is this. Suppose a capitalist has invested one hundred rupees and the labourer must work in order to give him a profit of Rs. 3 per annum, which is the bank rate of

[Dr. Sir Ziauddin Ahmad.]

interest. It is just when the dividend goes up to six per cent. instead, labour must work twice over for the same amount in order to give double the dividend to the capitalist. And if the dividend increases one hundred times, then the labourer will have to work one hundred times as much in order to give this dividend. This is the feeling of the labourers, namely, why should I work so hard in order to give him a profit to which he is not entitled. He has earned back all his capital and the factory should belong to the labour. This is the feeling the labourers have. It may not be in 1946. But it is bound to be there in a few years' time since they control all the votes, and these gentlemen, including myself, who are here, will have to side with labourers who command majority of votes and whatever their feelings are we will have to represent their views in the Legislature here.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Our sympathies are with them.

(At this stage Miss Maniben Kara rose in her seat.)

Mr. Deputy President: Does the Honourable Member want to make any personal explanation, otherwise she has no right to speak.

Miss Maniben Kara: The Honourable Member has just referred to the Radical Democratic Party and I was asked a certain straight question.

Mr. Deputy President: The Honourable Member is not entitled to reply unless there is a personal explanation.

Miss Maniben Kara: A personal explanation. I was referred to as a Member of the Radical Democratic Party. Because I am a member of that party, I must congratulate the Member who has just spoken.

Mr. Deputy President: That is not a personal explanation. Order, order. Dr. Ambedkar.

The Honourable Dr. B. R. Ambedkar: Sir, I have listened to the speech which the Mover made in support of his amendment and if that speech was the only speech in support of the amendment I certainly would have resisted the amendment, because, so far as I was able to hear, the Honourable the mover of this amendment said that the reason why he had moved his amendment was because I had not explained in my speech whether the Government of India, before putting forth this Bill, had consulted the different Parties to this measure. I certainly failed to say so but I thought that the Honourable Members of this House were aware of the fact that for the last several years there has been in existence an institution called the Labour Conference which meets annually and which has a Standing Committee which meets every quarter. It consists of the representatives of labour, the representatives of employers and the representatives of the Provincial Governments. The Government of India, in so far as it is possible, for it to do so, always put forth their legislative measures before the Conference in order to ascertain the opinion of the different Parties to those measures. The same, Sir, has been the case with regard to this particular measure. I have no particular information with me now as to how many times this measure had come before the Standing Labour Committee or the Labour Conference but I have not the slightest doubt in my mind that this measure was discussed threadbare in one of the two bodies (I forget which). We had come to know that the cotton millowners had certain difficulties and certain objections and it was to meet their point of view that a particular amendment was made. Having regard to that, I do not think that there is any substance in the point made by the mover of this amendment. As I said, if that was the ground and the sole ground, I would have resisted, but, Sir the debate as it developed has taken a very curious turn.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): A very welcome turn.

The Honourable Dr. B. R. Ambedkar: It is probably a welcome turn. I have noticed from the speeches that have been made from different parts of the

House that there is now a regular competition in love for labour. One section says one thing and another raises it as though it was an auction by making a higher bid and a third one still further.

An Honourable Member: You can bid higher.

The Honourable Dr. B. R. Ambedkar: In all these debates I am rather unhappy that there were persons in the House who were members of the Royal Commission and who ought to have taken a personal interest in seeing that the measures which they had recommended when they were members of the Commission were put forth, if not from the Government side, at least from the non-official side, should turn my inside out and represent that I was a Tory of Tories. I do not accept that charge but I do feel that it is necessary that this Bill should go to Select Committee, so that all the statements that have been made, the claims that have been put forth and the view points that have been urged should be put to the test of actual voting in order to see whether the sentiments that have been expressed are mere sentiments or that they are real convictions. If I did not do so, it is open to the members of the Opposition side to say that as I was a Tory and do not want to advance the Bill beyond the limits that have been fixed that I on that account shirked accepting this motion. I therefore accept the motion.

(At this stage several Honourable Members rose in their seats.)

Dewan Chaman Lall: Sir, nobody accused the Honourable Member of being a Tory of Tories.

Sri M. Ananthasayanam Ayyangar: Sir, I rise to a point of order. There is no closure motion. This motion has to be talked. This is a Bill and there is no time limit. There are members of the House who are not members of the Select Committee and for that matter I am not on the Select Committee and I would like to express my views so that in the Select Committee they might take my views into consideration.

Mr. Deputy President: The ordinary procedure is that the Honourable Member in charge makes his motion, then the debate takes place and then the Honourable Member makes his reply. If the Honourable Member (Prof. N. G. Ranga) had caught the eye of the Chair, it would have been all right but I understood that the Honourable Member in Charge of the Bill wanted to get up simply to save the time of the House as he was accepting the proposition and if he accepts the proposition there is no opposition. There seems to be no necessity for making further speeches in support of the amendment. There are only two issues before the House. One is the main proposition that it may be taken into consideration and the other is that the Bill be referred to a Select Committee. If the other side accepts this it means that the Honourable Member will have more opportunity to speak after the Bill returns from the Select Committee. I am afraid he has lost his chance.

Sri M. Ananthasayanam Ayyangar: On a point of order, Sir. Is it open to an Honourable Member to oppose the motion? One other point also I would raise, so that you might give your ruling later. What I am submitting is that as soon as I propose an amendment and the Honourable Member to cut short all speeches gets up and says "I accept" are we to be dumb?

Mr. Deputy President: No.

Sjt. N. V. Gadgil: Sir, may I bring to your notice that it is not merely a question of the acceptance of the amendment by the Honourable Member. In a matter like this there are certain viewpoints on which the House ought to provide some sort of directives to the members of the Select Committee. The only point that was discussed, as far as I understood, was the shortening of hours of work. But there are other points which it is just possible that other members may make in the course of further discussion, if allowed. In asmuch as there is plenty of time left I respectfully submit that the Chair should allow a few speakers who have really some contribution to make to this debate.

Mr. P. J. Griffiths (Assam: European): Mr. Deputy President, may I make a submission. I have no personal interest in this matter but I would submit that the Honourable Dr. Ambedkar merely spoke early for the convenience of the House and it should not act as a bar on the rights of other members to discuss the subject fully.

Diwan Chaman Lall: Nor does it take away the right of my Honourable friend, the Labour Member, to have the last word, when the debate is closing. He will still have the last word after the debate has taken place.

Mr. President: I thought that this may be acceptable to the Mover and then it will stop further debate. But the House does not seem to have accepted that view and I therefore call upon Prof. N. G. Ranga.

Prof. N. G. Ranga: Sir, my Honourable friend, Dr. Ambedkar, seems to be developing a knack to bring things from sublime heights to the ridiculous. I think he should be first person to welcome the kind of development that he finds in this new Legislative Assembly that one party should compete with another to serve the working classes of this country. Instead of that he seems to be rather unhappy that other people are stealing away his clothes and are able to adorn themselves in much better clothes than he has been able to put in the market.

He says that it is *not* a radical measure. My Honourable friend Diwan Chaman Lall has already told you that it is not at all a radical measure. He has given you an indication that he would try not only on his own behalf but also on behalf of his colleagues to convince the Select Committee rather than this house about the advisability of reducing the maximum number of hours of work from 48 as it is proposed to even 40. My Honourable friend Dr. Ambedkar taunts us by saying "We are going to see what you people are going to do in the Select Committee." That is not the right way to approach this problem. That is not even helpful to workers. If an Honourable Member gets up in this House and speaks on behalf of his own party and offers to do one better than the Honourable Member representing Government, it is the duty of my Honourable friend to welcome that speech and not to make it as a sort of point for challenge and taunt us.

There are very many unfriendly critics of my Honourable friend Dr Ambedkar—I dare say he knows it already—who go about saying that he is only trying to take time by forelock and gain all the credit of having introduced this tinkering legislation and that tinkering legislation, so that later on another administration that may be coming may not be able to do very much. Of course he ought not to give much weight to it. That is no reason why he should do the same thing with regard to our attitude towards labour. Let me assure him that he is not the only man interested in labour. It is also the Indian National Congress, and now we find the Muslim League also is ready to associate itself in that cause. The Indian National Congress and the Muslim League are making their approaches to the masses with a view to gain their confidence and gain their love. Is it not a welcome feature? There was an earlier Legislative Assembly of which both Dr. Ambedkar and myself were members.

The Honourable Dr. B. R. Ambedkar: I was never a member.

Prof. N. G. Ranga: Well, Sir, he ought to know as I knew. What sort of Assembly was it and what attitude was displayed towards labour. This is a new Assembly. It is a representative of the masses and it wishes to play its part as the champion of the masses. We ought all to congratulate ourselves upon this new development in the atmosphere of this Legislative Assembly because this Assembly today has got the courage from every section of the House to show its anxiety to support labour and its anxiety to support peasants. There has come about a great change in the political atmosphere. The Congress stands for Kisan Mazdoor Praja Raj not only for workers but for peasants also. It stands not only for these two classes but for all the intellectual labour in the country. Standing as we do for Kisan Mazdoor Praja Raj we do not need the advice from

my friend Dr. Ambedkar to try to do our duty. We are here to do our duty and we shall certainly welcome his co-operation.

I have been responsible to some extent in pressing this question to be sent to the Select Committee. There are very many reasons why I do so. One of them I shall detail just now. Dr. Ambedkar continues to make the distinction between seasonal workers and perennial workers, workers in seasonal factories and those in perennial factories, and perpetuates the present inequitous difference in the maximum number of hours that are allowed to be put in by these workers. Just as the Honourable Member is anxious that there should be uniformity between these two classes of people in regard to payment for overtime, so also we are anxious that there must be uniformity between these two casses in the maximum number of hours that can be extracted by employers, whether they be private capitalists or whether they be the Government and whether the workers be seasonal workers or perennial workers. If it is bad for workers in perennial factories to be made to work for 54 hours a week, certainly it must be equally bad for workers in seasonal factories also to be made to work for 54 hours a week. If he is so very keen—and he is rightly so—to reduce the maximum number of hours to 48 for perennial workers, then it is equally right for us to claim that the maximum number of hours for seasonal workers should also be reduced to 48. This is not a radical measure that I am suggesting. It is a very sensible thing and it ought to be introduced now. Will it be possible for me to move these amendments on the floor of this House if we were to come to the second reading stage straightaway and to the consideration stage? It is on this and various other considerations that we were anxious that this measure should be sent to the Select Committee.

The Honourable Member made an exception in regard to the speech of Mr. Reddiar. Well, if I were in his position I would have congratulated Mr. Reddiar for having got up to support his measure. He is a new Member. We do not know what the politics of new Members is. And a new Member gets up here and simply says 'I wish to be educated in regard to this matter' The Honourable Member in charge of the Department has not educated anyone properly. He has not given me any indication as to the way in which public opinion is moving in this country. Now he gets up and says 'So many Committees have considered it; the Labour Conference has considered it' and why I am saying this now and why I did not say so then. He is there a Member of the Government of India. He would not take the trouble to educate the House and yet he taunts us in a contemptuous manner and in a professorial manner "You have only advanced this; I would not have considered your motion if I had known that it was only for the reasons that you have advanced". This sort of supercilious attitude which my Honourable friend is assuming towards the House I very much deprecate. The sooner he tries to develop a healthy sense of respect as well as consideration for his colleagues in the House the better it will be for him as well as the Government. I support the motion for the Select Committee.

Mr. S. Guruswami (Nominated Non-Official): I rise to support the motion for amendment that has been moved in view of the various expressions that have fallen from the previous speakers. I welcome this Bill because of the statement which the Government of India have made that they consider that a 54 hour week is indefensible. I have given notice of my intention to move a non-official Bill, reducing the working hours on the railways and in the mines, and, I hope I will have the co-operation of the Honourable Member in supporting it as an official measure, so that what he says, namely, that this measure for reducing working hours is urgent, may also be realized in speeding up the passage of the Bill of which I have given notice. I do not want to get into the details of the controversy whether this should go to a Select Committee or not for the simple reason that both the mover of the Bill and the mover of the amendment have come to an agreement and the spokesmen of the Congress Party have said that they are for improvement. For the information of this House let me tell you that in Lillooah Railway workshops the standard working week

[Mr. S. Guruswami]

is 42. The All-India Railwaymen's Federation has appealed to the Railway Administrations and to the Government of India to introduce 42 hour week in this country as a method of avoiding unemployment in this country.

Then, Sir, there are certain important principles which are implied in this Bill which are not very explicit. The question of spread-over has not been properly dealt with in this Bill. Even if you agree to 42 hour week or six-hour day, the whole scheme can be sabotaged by getting exemptions under spread-over. If you spread over a six-hour working period over fifteen-hours in a day six-hour working day will only remain as such on the statute book, but there will be no benefit to the workers for whom the legislation will be intended.

There is another principle which I should like to emphasise in connection with this Bill. Night work is a work that is detrimental to the life of the workers. It should be discouraged by statutory methods by increasing the payment for night work just as they do for overtime and by limiting the night work that can be extracted. There is no legislation preventing workers on the railways from doing work during the night except in factories or, for the matter of that, in mines. But whatever it is let me tell for the information of this House that as a result of strong agitation, in which I took part, in French India in 1937 the French Government went ahead of the British Government. They legislated for an eight-hour day in 1937. They stipulated that night work should be prohibited for women workers. They stipulated that payment for night work should be made at double the rates that are given for day work. These details can be gone into the Select Committee, and I do hope that when the Report emerges out of the Select Committee a Bill acceptable to all sections of the House, a Bill which will be supported by all sections of the House, will emerge, and that we will have without any delay a new Bill which would regulate the working hours not only in the factories but in other industries. With these words, Sir, I again reiterate my support to this Bill.

Sir V. V. Giri: I did not like to participate in this discussion. I thought that the amendment moved by the Congress Party would be welcomed by the Honourable Member in charge of the Department. But the way in which he expressed his willingness to accept it has created some sort of trouble. He knows—at any rate he ought to know—that the Congress Party stands for a square deal to the worker. If he only cares to read the Congress manifesto, which Congress has published for the purpose of the general election, he will find that the view point which has been pressed here today is exactly the view point that has been incorporated in that manifesto. But I should also like to remind him that in the course of the last ten years—for some years I was also here—whenever there was any occasion to put in some word for the down-trodden labour, the Congress Party has taken the same attitude which it has taken today. If he were to refer to the relevant proceedings of this Assembly he will find that every time we tried to reduce the hours of work, it was this Government that under one pretext or the other declined to do it. I am glad that now in this Government there is at least one man like the present Member—my esteemed friend in private life—who can be radical. My only regret today is that he is not sufficiently radical. From the figures he has given, it is obvious that he is only regularising what is the *status quo*, what is the actual state of affairs. Radicalism, as I understand, is something which goes ahead of the present state of affairs. If according to his figure most of the factories or, at any rate, quite a decent proportion of them are actually having a 48 hours week, there is no great credit for him. He should be one with us when we demand that the measure should be more radicalised in the course of the Select Committee's discussion. I should state that we should go to that length where the optimum length of the working day should be discovered with a view to having the maximum output per worker. That is

4 P.M.

the limit. That is not a problem which we can solve by mere discussion here. My honourable friend will certainly agree that it is a problem which requires serious consideration, a good deal of statistical research; but I do hope he will help us in the select committee; and if we find that a forty-hour week is the optimum length he should be with us, no matter what the capitalists in this country may say. I know that it has been often argued that if there are less hours of work production will be adversely affected. But as a result of the Factory Act of 1922 the experience has been that output has increased and efficiency has improved. If that is the experience, why should we believe that something else will happen if we lower the hours of work from 48 to less? In other countries you will find that this 40 hour week has been accepted. This convention of 48 hours was passed by the International Labour Conference in 1919—almost ages ago. "Since that year, however, working classes in many countries have set before them the goal of a 40 hour week as part of their further programme of reform. The Socialist Government under Blum in France provided for the enforcement of the 40 hour week, by a Decree in 1936. The Labour Government in New Zealand also passed an Act in 1936 which provided a 40 hour week for workers in factories, and a 44 hour week for those in shops. In U. S. A., the Fair Labour Standards Act, 1938, established as the goal a 40 hour week which was to be attained by gradual stages in the course of 3 years."

So I see nothing to prevent us from going to that length. I, therefore, respectfully submit that it is not in a spirit of auction that we are bidding only to gain votes. I assure Dr. Ambedkar that the voters outside will not be influenced by what we say here. They know they have full trust in the one organisation, namely, the Indian National Congress. If he has not learned by this time how much confidence the people have in this Party, it is time that he learnt it. I do not want to say anything further; but I do hope that he will be helpful in his attitude in the discussions in the Select Committee.

Sri T. V. Satakopachari (Tanjore *cum* Trichinopoly, Non-Muhammadan Rural): Sir, I wish to say a few words of suggestion to the Select Committee. I also welcome the Bill. In the first instance I also hesitated whether it would be to the interests of labour to refer the Bill back to a Committee for the simple reason that I have been associating references to select committee or circulation for eliciting public opinion with the familiar idea of shelving legislation, or at least delaying it as far as possible. That is why I hesitated about it. Even now, I do not know whether a reference to select committee means a reference which is restricted in the sense in which we in the courts of law are familiar where a reference is made to a full bench on a particular proposition and the full bench meets and says a particular opinion, but it does not go further. I am afraid reference to a select committee is going to be such a restricted affair that it will not be very helpful at all. If the reference is going to be only with regard to the subjects which the Bill has dealt with, then I am afraid it will be necessary for some more Bills to be brought into this House and get them passed. That would not be conducive at all to a regular understanding of the labour problem or of dealing with it. It will multiply piecemeal legislation. If I am informed aright, I think the select committee can go further than the subjects which are indicated by the present Bill. That is, not only shorter hours of work, not only spreading over and other questions, but also about consolidating and giving us a labour legislation which is comprehensive and which deals with several aspects which are absolutely necessary for a modern country. I find that we have devoted more attention to dead machinery than to living machinery till now. I repeat the words of the first socialist, Robert Owen, when I say that. I would say that the Indian labour problem is not an isolated problem, but a problem which is part of the universal problem, and so if we lag centuries behind the world in modern concepts or in social security laws or labour legislation, we are bound to be left stranded politically, economically and socially. I would like that that is avoided. From the history of labour legislation in India I find, starting from the last quarter of the last century,

[Sri T. V. Satakopachari]

we have been making very slight progress, if it can be called progress at all. I find that at some time we thought that a person of 14 years of age was an adult, fit to be in mines and fit to be in factories; women were protected only by very recent laws; even now we find that on excuses or pretexts of war and emergency, women labour is impressed into service. That condition should not exist. I visualise there will be an increase in industry in the post-war period, and my Honourable friend the learned doctor envisages unemployment. Putting both together I should think that it would be well solved by a comprehensive legislation, not only in regard to the hours of work but also in regard to mobility of labour and standardisation of wages as far as possible, not only in industries but also in agriculture and in other allied activities of this country.

Sir, there is one thing which I wanted to mention if the Select Committee will think that it is worth while considering. Factory Inspectors in England and were complimented even by Karl Marx for their independence and integrity and for their great work in helping the labour of the country but in our country I am afraid it is not so. So, I would suggest to the Select Committee, if it is at all possible, to make the law more stringent in regard to the inspection of factories, more stringent in regard to the behaviour of factory inspectors and others who are placed to supervise these things. Then, Sir, I am also viewing with great apprehension the handing over of power to Local Governments to exempt from the operation of these laws certain cases and extend the hours whenever and wherever they feel it necessary. I believe a strong measure denying such rights to anybody would be much better. Then generally I would say that more educational facilities should be given to the children of the labourers Creches should be started and greater maternity benefits should be given. There are social security plans and schemes in other countries. There is the Beveridge plan in England and there is the Philadelphia charter of last year in the U. S. A. I would suggest with all respect that the Select Committee might direct its attention to many of these things and if possible enlarge the scope of the Bill, improve it and do whatever is possible under the rather restricted reference to them

Mr. Deputy President: The Honourable Member should make remarks which are relevant to the motion under discussion. He should not enlarge the scope of the Bill.

Sri T. V. Satakopachari: That is why I premised by saying that probably the reference may not be very useful.

Sri R. Venkatasubba Reddiar: To the names I have already submitted in regard to the Select Committee, I want to add two more names—Sri T. A. Ramalingam Chettiar and Rai Bahadur Bhattacharyya.

The Honourable Dr. B. R. Ambedkar: I accept them.

Mr. Deputy President: The question is:

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. B. R. Ambedkar, Prof. N. G. Ranga, Sjt. N. V. Gadgil, Mr. Vadilal Lallubhai, Diwan Chaman Lall, Pandit Balkrishna Sharma, Mr. Muhammad Nauman, Mr. Muhammad M. Killedar, Sir Hasan Suhrawardy, Mr. S. C. Joshi, Mr A. C. Inskip, Miss Maniben Kara, Mr. S. Guruswami, Chaudhry Sri Chand, Sri. T. A. Ramalingam Chettiar, Rai Bahadur D. M. Bhattacharyya, and the Mover, with instructions to report on or before the 7th March, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 22nd February, 1946.

LEGISLATIVE ASSEMBLY DEBATES

FRIDAY, 22nd FEBRUARY, 1946

Vol. II—No. 8

OFFICIAL REPORT

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LEGISLATIVE ASSEMBLY

Friday, 22nd February, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar), in the hair.

DISPENSING WITH QUESTION HOUR

Mr. M. Asaf Ali (Delhi: General): Sir, there is a general sense of agreement the House that on the next four days when we shall have the Railway emands the question hour should be suspended. This has been the practice in ie past not only in connection with the Railway demands but also the General udget Demands. So if there is no objection from any side of the House I ould request you to suspend the question hour.

Seth Yusuf Abdoola Haroon (Sind Muhammadan Rural): What happens to ıort notice questions?

Mr. M. Asaf Ali: They stand in a different category.

Mr. President: The request that has been made is only with regard to the rdinary questions. Short notice questions are taken after those are finished.

Seth Yusuf Abdoola Haroon: Are these questions which are fixed for these ıur days to be held over till next week?

Mr. President: They will be treated like unstarred questions and answers nd printed in the proceedings. But I should like to know if Honourable lembers who have put down questions are agreeable to this, in which case I an suspend the question hour.

Several Honourable Members: Yes, Sir.

Mr. President: Then we will dispense with the question hour.

STARRED QUESTIONS AND ANSWERS†

WRITTEN ANSWERS

COAL PRODUCTION BEFORE AND AFTER WAR

435. *Mr. Manu Subedar: (a) Will the Honourable Member for Industries nd Supplies please state the production of coal in India before the war and a subsequent years?

(b) What steps did Government take to increase this production?

(c) How much of the machinery promised by the Hydari Mission for the ıcreased production of coal has arrived, and what effect did such machinery ave on production generally?

(d) What were the scales of wages of coal miners before the war, during he war and at present?

(e) What was the price of coal at pit's mouth before the war, during the var and at present?

The Honourable Mr. A. A. Waugh: (a) A statement showing the coal produc- ion in India for each year from 1938 to 1945 is laid on the table.

(b) The main measures taken by Government to improve coal production vere:

(1) *Financial inducements to Colliery Owners.*—These included (i) E.P.T — ree bonuses on increased production over targets fixed for each colliery, ii) bonuses on total output, (iii) loans for capital expenditure, (iv) accelerated lepreciation allowance at 50 per cent. on the written-down value of specified coal nining machinery.

(2) *Provision and stabilisation of colliery labour.*—This includes (i) the provi ion of labour from Gorakhpur, both in quarries and underground, (ii) restrictions

†The question hour for the day having been dispensed with, the answers were laid on the able of the House.—*Ed. of D.*

on the employment of miners on other work, and (iii) welfare measures, *e.g.* provision of consumer goods and food grains at concessional prices, and the grant of bonuses to miners based on attendance.

(3) *Operation of collieries by Government.*—This includes (i) the organisation of Open Cut Coal Mining, (ii) increased production from railway collieries, (iii) the working of certain market collieries under Government control.

(4) *Assistance to colliery owners in the procurement of machinery from abroad.*—Bulk indents were placed by Government on the U. K. in 1944 and on U. S. A. for the supply of urgently required mining equipment, in advance of trade orders, procurement and distribution being arranged by the Coal Commissioner's Organisation according to priority requirements of the collieries.

(c) The Honourable Member probably refers to the bulk indents placed by the Coal Commissioner on U. K. in 1944, which were subsequently progressed by the Hydari Mission. Most of the machinery ordered under these indents has arrived and is now in use. It is not possible to assess the exact effect on raisings attributable to this machinery in particular, but total raisings in 1945 were 2·6 million tons more than those of 1944, and 3·2 million tons more than those of 1943.

(d) and (e). Statements giving the necessary information are laid on the table.

STATEMENT IN REPLY TO PART (a)

Year	Total Coal Production in India (Tons)
1938	28,342,900
1939	27,769,112
1940	29,388,494
1941	29,463,742
1942	29,433,253
1943	25,511,909
1944	26,124,155
1945	28,746,678

STATEMENT IN REPLY TO PART (d)

Average daily earnings—Jharia Coalfield

Year	Underground		Open Workings	
	Miners	Loaders	Miners	Loaders
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1936	0 7 6	0 6 3	0 8 0	0 7 3
1937	0 9 3	0 8 0	0 8 6	0 6 9
1938	0 9 6	0 8 3	0 8 9	0 7 0
1939	0 9 9	0 8 9	0 9 0	0 7 3
1940	0 9 6	0 8 6	0 9 9	0 6 6
1941	0 10 0	0 9 0	0 9 3	0 8 0
1942	0 11 0	0 10 0	0 10 9	0 8 6
1943	0 13 9	0 12 9	0 13 6	0 12 0
1944	1 1 6	1 0 6	1 2 3	1 0 3
1945	1 1 6	1 0 6	1 2 3	1 0 3

Average daily earnings—Raniganj Coalfield

Year	Underground		Open Workings	
	Miners	Loaders	Miners	Loaders
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1936	0 7 3	0 6 9	0 4 3	0 3 9
1937	0 9 0	0 7 9	0 8 9	0 6 6
1938	0 9 3	0 7 9	0 8 6	0 5 9
1939	0 9 0	0 7 9	0 8 6	0 6 3
1940	0 8 9	0 7 6	0 7 0	0 7 3
1941	0 9 3	0 8 0	0 8 6	0 7 9
1942	0 10 9	0 9 3	0 11 9	0 6 9
1943	0 14 3	0 12 6	0 14 0	0 12 0
1944	1 2 9	1 1 3	0 15 8	0 15 3
1945	1 2 9	1 1 3	0 15 8	0 15 3

Average daily earnings—Punjab Coalfield

1936	0 13 3	0 10 6	1 1 9	0 15 6
1937	0 15 9	0 14 0	1 0 0	..
1938	1 0 6	1 0 9	..	..
1939	0 14 0	0 13 3	0 6 0	..
1940	0 14 3	0 14 3	..	..
1941	0 14 3	0 14 3	..	..
1942	1 5 0	1 3 6	..	1 3 9
1943	2 0 9	1 15 9	..	..
1944	2 13 3	2 15 0	1 8 0	2 7 9
1945	2 13 3	2 15 0	1 8 0	2 7 9

Average daily earnings—Baluchistan Coalfield

1936	0 9 3	0 9 3	..	0 8 0
1937	0 10 3	0 10 6	..	..
1938	0 10 9	0 10 9	..	0 9 0
1939	0 9 9	0 10 6	..	..
1940	0 9 9	0 11 6	0 14 8	..
1941	0 10 6	0 9 9	..	..
1942	1 10 9	1 10 6	..	..
1943	2 6 0	2 1 9	..	..
1944	2 4 0	2 1 9	..	..
1945	2 4 0	2 1 9	..	..

Average daily earnings—Giridih Coalfield

Year	Underground		Open Workings	
	Miners	Loaders	Miners	Loaders
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1936	0 9 0	0 7 3	..	..
1937	0 10 3	0 9 0	..	..
1938	0 9 9	0 11 6	0 3 0	..
1939	0 10 0	0 11 9	..	..
1940	0 9 3	0 10 9	0 6 0	..
1941	0 9 3	0 10 6	0 5 9	..
1942	0 13 0	0 10 9	0 6 0	..
1943	0 14 6	0 11 3	0 8 0	0 9 0
1944	0 10 6	0 11 9	0 14 6	0 12 6
1945	0 14 6	0 11 9	0 14 6	0 12 6
	Average daily earnings Assam Coalfield			
1936	1 0 0	0 15 9	..	..
1937	1 1 0	1 0 0	0 15 0	0 10 0
1938	1 0 0	1 0 0	1 0 0	0 11 0
1939	1 0 6	1 0 3	1 1 0	0 12 9
1940	1 2 6	1 1 0	1 3 0	0 14 9
1941	1 0 6	1 0 0	1 3 6	0 15 0
1942	1 3 6	1 2 9	..	1 1 0
1943	1 7 6	1 10 6	..	1 8 6
1944	2 5 9	1 14 6	..	1 11 0
1945	2 5 9	1 14 6	..	1 11 0
	Average daily earnings Pench Valley Coalfield—(Central Provinces)			
1936	0 12 0	0 6 9	0 10 3	0 7 3
1937	0 11 9	0 7 3	0 9 3	0 5 0
1938	0 13 0	0 7 3	0 9 9	0 6 0
1939	0 12 0	0 7 6	0 10 0	0 6 3
1940	0 14 0	0 7 6	0 11 0	0 5 9
1941	0 14 3	0 7 9	0 10 3	0 7 3
1942	0 15 9	0 9 9	0 12 9	0 7 9
1943	1 1 3	0 10 3	0 14 3	0 8 0
1944	1 2 6	0 11 0	0 15 6	0 10 9
1945	1 2 6	0 11 0	0 15 6	0 10 9

STATEMENT IN REPLY TO PART (E)

Price per ton of Coal at Pithead.

Year	Assam	Baluchistan	Bengal (Raniganj Coalfields)	Bihar (Jharia Coalfields)	C.P. (Pench Valley Coalfields)	Punjab
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1938	8 15 0	6 6 0	4 0 0	3 7 0	3 11 0	5 9 0
1939	8 1 0	6 10 0	3 12 0	3 4 0	3 10 0	5 0 0
1940	8 14 0	6 7 0	3 11 0	3 5 0	3 12 0	5 4 0
1941	9 5 0	7 7 0	3 13 0	3 6 0	3 4 0	5 15 0
1942	9 15 0	13 11 0	4 8 0	4 0 0	5 8 0	13 4 0
1943	12 12 0	17 7 0	6 14 0	6 5 0	6 13 0	24 6 0
1944	20 0 0	17 12 0	9 8 0	9 8 0	10 4 0	20 0 0
	to	to	to	to	to	to
	30 0 0	29 12 0	13 4 0	13 4 0	14 0 0	22 0 0
1945	20 0 0	17 12 0	9 5 0	9 5 0	10 1 0	20 0 0
	to	to	to	to	to	to
	30 0 0	29 12 0	13 5 0	13 5 0	14 1 0	22 0 0

DISPOSAL OF AMERICAN SURPLUSES

436. *Mr. Manu Subedar: (a) Did the Honourable Member for Industries and Supplies ask for the surplus of American goods in India, or did the U.S.A. Government make this offer?

(b) Who initiated these negotiations, and what was the object?

(c) What was the amount involved?

(d) By what methods are these goods to be disposed off?

(e) Do Government propose to circulate to the Indian Chamber of Commerce the list of the materials available so as to enable producers and manufacturers in India to avail themselves of such equipment as may be useful to them?

(f) What is the organization for the disposal set up by the Government of India, and what will be its general policy?

The Honourable Mr. A. A. Waugh: (a) and (b). No, Sir; the United States Government, through their Deputy Foreign Liquidation Commissioner, made the offer. The objects were:

(1) to enable the Government of India to exercise systematic control over the distribution and sale of all surplus articles located in India of whatever origin;

(2) to enable both Governments to further the joint aim of making the surplus serve the general welfare of India;

(3) to accelerate the evacuation of U. S. troops.

(c) The value of the surpluses has not yet been determined.

(d) Goods will be sold in accordance with the policy described in (f) below, either by transfer to Departments of Governments and States or by sale by auction, advertised tender, limited tender, or by negotiation.

(e) Yes.

(f) The Directorate General of Disposals will deal with all surplus property located in India of whatever origin. The main principles of disposals policy are:

(i) To release stocks at a rate which, while fast enough to get the goods into the hands of consumers where they are most needed, will not cause the internal

market to be so flooded that there are adverse effects on internal economy or production;

(ii) to ensure that the goods are sold to the ultimate consumer at prices which are reasonable in comparison with current prices of similar articles, and to prevent an unnecessary number of intermediaries or profiteering by middlemen;

(iii) as far as possible, to use the normal trade channels for distribution, with a view to ensure that the usual traders or manufacturers as well as the ultimate consumers in different parts of the country get their fair share of the quantities available; and

(iv) to consider the requirements of the Government of India, the Provincial Governments, and of States for their own use before releasing goods to the civil market.

HIGH PRICES OF CEMENT

437. *Mr. Manu Subedar: (a) What steps have been taken by the Honourable Member for Industries and Supplies to release cement for civilian purposes?

(b) What was the price of cement before the war, during the war and at present?

(c) Is it a fact that cement prices in India are fixed by the A.C.C. and Dalmia Group and are in the nature of a monopoly? If so, what steps have Government taken to increase the supply and to bring down the monopolistic prices which are rigged up against the consumer?

(d) Are Government aware that, while the cement prices are high, building operations cannot start and a large number of men expected to be employed on such operations cannot find employment?

The Honourable Mr. A. A. Waugh: (a) Since the last few months, approximately 90 per cent. of the entire output of cement has been made available for civil use, of which rather more than half is for the public, and the rest is for Civil Government purposes.

(b) The average price of cement in 1937 was, Rs. 40 at Bombay, Madras and Karachi, Rs. 43 at Calcutta, Rs. 47-8-0 at Delhi, Cawnpore and Coimbatore and Rs. 58-8-0 at Lahore. Just before the War the price ranged from Rs. 26 to Rs. 47. The price of civil cement was first controlled in March, 1941 at Rs. 70 per ton f.o.r. any destination. Subsequently the price was revised to Rs. 68-12-0 from 1st December 1944, and to Rs. 63-12-0 from 1st November, 1945.

(c) No, Sir. Since March, 1944, civil cement prices have been controlled by Government.

(d) There has been a general rise in the cost of building materials and the rise in the cost of cement does not compare unfavourably with the rise in costs of other materials.

SUPPLY OF CEMENT TO CIVILIANS

438. *Mr. Manu Subedar: (a) Will the Honourable Member for Industries and Supplies please state the total amount of cement produced in India before the war, during the war and at present?

(b) Is it a fact that the supply of cement for the civil population was heavily curtailed during the war period and continues to be curtailed even now?

(c) Is it a fact that even now military requirements consume a considerable portion of the output? If so, for what purposes are military buildings still continued to be built?

(d) How much stock of cement do the cement companies carry, and how much unused stock have Government got?

The Honourable Mr. A. A. Waugh: (a) In 1935, roundly 0·8 million tons; in 1939, 1·5 million tons; in 1945, 2·1 million tons.

(b) The answer to the first part is that civil supplies were heavily curtailed from the middle of 1942 in the interests of military requirements. The answer to the second part is that since the last few months military requirements have greatly declined, and are about the pre-war level.

(c) No, Sir. Military requirements are consuming approximately ten per cent. of the output. The second part of the question does not arise.

(d) About 90,000 tons, or roughly two weeks production are carried by the cement Companies. Accurate information as to the stocks held by Government Departments is not available but the quantity is not be believed to be large.

PRODUCTION AND IMPORT OF PAPER

439. *Mr. Manu Subedar: (a) Will the Honourable Member for Industries and Supplies please state the total production of paper in India before the war, and how much is the production now?

(b) What was the total import of paper before the war?

(c) How much has been the import of paper during the last twelve months for which figures are available?

(d) What was the price of paper before the war, and what is the price of paper now, both for Indian production and for the imported article of like nature?

(e) What special measures are Government taking to improve the production of paper in India and the supply from overseas?

(f) What special measures are Government taking to supply coal, transport for moving the raw material and the finished article, and generally to ease the paper situation in India?

The Honourable Mr. A. A. Waugh: (a) to (c). I lay on the table a statement giving the required information in respect of the production and imports of paper other than newsprint.

(d) A statement showing the prices of certain broad categories of indigenous and of imported paper immediately before the war and at present is laid on the table of the House The qualities of indigenous and imported paper differ, and the categories are not fully comparable. Reliable statistics of pre-war prices of paper whether imported or indigenous are not available, and the figures given are approximate. The present controlled prices of indigenous and imported papers are given in the schedules appended to the Paper Price Control Order 1945 and the Paper (Prices of Imported Paper) Control Order 1944, copies of which are available in the Library.

(e) A Paper Production Commissioner was appointed, in November, 1942 He was replaced in April, 1944 by the Establishment of a Paper Directorate for promoting production as well as obtaining better supplies from abroad. The Directorate has assisted Paper Mills in securing raw materials and chemicals, in the import of essential maintenance parts of machinery, and of pulp and other raw materials, in the distribution of supplies of coal, in zoning raw materials and securing transport priorities, and with technical advice Under the Paper Control (Production) Order issued in August, 1944, the production of paper by Indian Paper mills has been restricted to certain specified varieties so as to secure the maximum output. All these steps have resulted in increasing the production of paper, excluding strawboards and mill boards from 54,000 tons in the 8 years preceding the War to 108,000 tons in 1945. India is now almost self-sufficient in strawboards and mill boards.

Side by side with expansion of indigenous production, Government endeavoured to obtain larger imports of paper from abroad. The Director of Paper was sent to the U. S. A., Canada and U. K. in the summer of 1945 to endeavour to secure shipments of paper required by Government and by civilian consumers against pending indents and orders on the U. S. A. Through his efforts Government were successful in obtaining an allocation of paper from Scandinavia for supply in the months ending June, 1946.

(f) The allocation of coal to the paper industry is reviewed every month. The allocation has risen from 30,000 tons a month in January, 1944 to 38,000 tons a month in January 1946. The coal supplies are distributed to all units in proportion to their requirements. Every effort is made to provide transport facilities for moving essential raw materials to Mills. In order to avoid cross-haulage and wasteful use of transport, a movement and allocation programme of paper from the Mills to different Provinces and areas is drawn up every quarter and high priority in despatch has been allotted to paper.

Statement showing the pre-war and present production and imports of paper other than newsprint

	Average Annual Production of paper on the basis of the figures of the three pre-war years 1936-37 to 1938-39	Production during the year 1945	Annual average imports of paper on the basis of the figures of the three pre-war years 1936-37 to 1938-39	Imports during the year 1945*
	2	3	4	5
	Tons	Tons		
(1) Paper other than Kraft and Board,	53,600	84,250	37,300	21,900
(2) Kraft	*Nil*	9,550	10,300	250
(3) Boards other than strawboards,	200	14,200	11,900	3,870
(4) Strawboards . .	*Nil*	16,100	15,800	negligible
Total .	53,800	124,100	75,300	*26,020

* These imports were on commercial account, In addition, a quantity of about 3,000 tons was imported during the year 1045 on behalf of the Department of Industries and Civil Supplies for non-Government Civilian consumption,

Statement showing the pre-war and present prices of paper both indigenous and imported

S. No,	Description	Pre-War Prices per lb. 1938-39		Present Controlled price per lb,	
		Indigenous paper	Imported paper	Indigenous paper	Imported paper
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
1	Bleached Printing Paper	0 3 4 to 0 3 9	0 3 4	0 7 10½	0 11 1 to 0 15 8
2	Bleached Writing Paper .				
	(a) Cream wove or laid	0 3 5 to 0 3 9	0 3 7	0 7 10½	0 10 9
	(b) Bonds and Ledgers	0 3 10 to 0 4 0	0 5 8	0 7 10½ to 0 11 10½	0 12 9 to 1 8 10
3	Badami	0 2 8	...	0 7 3½	...
4	White Cartridge . .	0 3 3 to 0 3 5	0 4 0	0 7 10½	0 14 11
5	Kraft Paper . . .	...	0 2 10 to 0 3 3	0 7 8	0 11 8
6	Brown Wrapping . .	0 2 4 to 0 2 7	0 2 1	0 7 1½	...
7	White Blotting . .	0 4 4 to 0 4 9	0 3 11½	0 12 4½	0 10 10 to 1 6 4
8	Boards other than Strawboard,	0 3 2 to 0 3 3	0 2 4	0 6 0 to 0 8 6	0 7 7 to 0 12 7

INDIAN NATIONALS INTEREST IN FRENCH INDO-CHINA

440. *Sri T. A. Ramalingam Chettiar and Sri V. C. Vellingiri Gounder: Will the Foreign Secretary be pleased to state:

(a) the arrangements made for the safety of the properties of the Indian Nationals in Indo-China, and the facilities given to those persons to return to India;

(b) whether representation was made to the Government of India to that effect; and

(c) whether instructions were given to the British representative in Indo-China to negotiate with the French Authorities to secure all facilities in the interest of the Indian Nationals since the occupation of the French Government is completed?

Mr. H. Weightman: (a) During the war, the interests of Indians in French Indo-China, as of other British subjects, were in the charge of the Swiss Consular authorities in that country, and since the surrender of Japan have reverted to the care of the Representative of His Majesty's Government at Saigon. During the Annamites disturbances damage was done to property, including property belonging to Indians, and claims for this are being registered with the French authorities

The question of the repatriation of Indians now in French Indo-China and in other territories in South East Asia is receiving the urgent attention of the Government of India, and S. E. A. C. Headquarters have been addressed on the provision of shipping for this purpose.

(b) Letters have been received from persons in India expressing concern about their property in French Indo-China

(c) In the normal discharge of his functions, His Majesty's Government's Representative at Saigon takes all steps necessary to ensure that Indians receive fair treatment in all respects. Matters affecting the Indian community were discussed with His Majesty's Government's Representative by Mr. Auey during his recent visit to Saigon.

EXCHANGE FACILITIES TO INDIAN NATIONALS IN FRENCH INDO-CHINA TO SEND MONEY TO THEIR FAMILIES IN INDIA

441. *Sri T. A. Ramalingam Chettiar and Sri V. C. Vellingiri Gounder: Will the Foreign Secretary be pleased to state:

(a) if it is a fact that the French Authorities in Indo-China refused to allow Indian Nationals to send money to their families in India on account of the blockade imposed during the war by the Government of India;

(b) if so, whether the Government of India is prepared to cancel the blockade and to take immediate steps to impress upon the French authorities to have exchange rates and to allow remittances to India in the interest of the Indian nationals and their families in India;

(c) whether any representation was made by any individual and by the then member of the Assembly, Mr. T. T. Krishnamachariar, on the above points; and if any information is forthcoming whether the same will be placed on the table of the House for the information of the public; and

(d) the arrangements made by the Government of India for securing priority in passage facilities for the Indian nationals stuck up in Indo-China to come to India and for persons in India owning properties there to go there to look after the same?

Mr. H. Weightman: (a) and (b). On the capitulation of France in 1940 (when French Indo-China fell under hostile domination) the balances of the Indo-China Bank in India became vested in the British Indian Custodian and operation on these balances was stopped. As a retaliatory measure the Inspector General of the Bank of Indo-China forbade remittances by Indians in Indo-China to India. On the occupation of Indo-China by the Japanese, French Indo-China became

an enemy territory under rule 2(2)(a) of the D. I. R. and all normal remittances between that country and India were suspended. In a few idividual cases, however, small remittances were allowed through the agency of the Swiss representative at Saigon. Though French Indo-China is no longer regarded as enemy territory remittances through frozen balances in India cannot be permitted pending the conclusion of a debt settlement agreement between India and France which is now under consideration of the Government. In the meantime, it is expected that as a result of representations made by His Majesty's Representative at Saigon provisional arrangements will shortly be made for remittances of limited amount in India.

(c) Enquiries on matters relating to Indians in French Indo-China have been received from various parties including Mr. T. T. Krishnamachariar. Information on the points raised is contained in the reply to parts (a) and (b) of this question and in the reply to question No. 440.

(d) The question of the repatriation of Indian nationals now in French Indo-China and in other territories in South East Asia is receiving the urgent attention of the Government of India, and S. E. A. C. Headquarters have been addressed on the provision of shipping for the purpose. Steps are also being taken, in consultation with Headquarters, Allied Land Forces, South East Asia, to arrange passages for Indians desirous of going to liberated countries in the Far East. A copy of a press note issued on the subject is laid on the table of the House.

NOTIFICATION

Passages from India to the Far East and Burma for Civilian Personnel

In order to meet the urgent desire of evacuees now in India to return to their homes, of others to rejoin families and of businessmen to proceed to Far Eastern countries, it is necessary, till such time as shipping conditions return to normal, that all passages to the Far East should be controlled by the Government of India

2. To this end, a bid for shipping has been made by the Government of India to ALFSEA, and it is hoped that, very shortly, a certain number of ships will be made available.

3. In the meantime, in order to bring all intending passengers on to one central list, persons wishing to proceed to the Far East should, if they have not already done so, make application as shown in detail below :—

(a) *Evacuees from Far Eastern British possessions (Malaya, Hong Kong, etc.).*

Such evacuees, if they have not already done so, should register themselves for repatriation with C. D. Ahearne, Esq., C.M.G., Malayan Representative's Office, Monkwa Building, Outram Road, Bombay.

(b) *Evacuees from Far Eastern Countries other than British possessions*

Applications should be made to the Secretary to the Government of India, External Affairs Department, New Delhi.

(c) *Persons other than evacuees wishing to proceed to British possessions in the Far East for business or other valid reasons*

Applications by such persons should be made to the Controller of Priority Passages for the Far East, Government of India, Commonwealth Relations Department, New Delhi.

(d) *Persons other than evacuees desiring to proceed to non-British possessions in the Far East.*

Such persons should apply to the Secretary to the Government of India, External Affairs Department, New Delhi.

(e) *Evacuees from Burma*

Registration of evacuees wishing to return to Burma is now proceeding, and registered persons will, in due course, be called up when shipping and other conditions permit.

(f) *Persons other than evacuees wishing to proceed to Burma.*

Such persons should apply in the first instance to the Secretary to the Government of India, Commonwealth Relations Department (Burma Repatriation Section), New Delhi.

(g) *Released Civilian Internees from the Far East desirous of returning to countries in the Far East, whether British possessions or not*

Released civilian internees who are not resident in the Malayan Transit Camp, Bombay, should make immediate application to the Controller of Priority Passages for the Far East, Government of India, Commonwealth Relations Department, New Delhi.

Coal Production

442. *Mr. Vadilal Lallubhai: Will the Honourable Member for Industries and Supplies be pleased to state:

(a) the figures of our total coal production ever since 1939 onwards, year by year;

(b) whether any new coal mines were started during this period; if so, the percentage of their production to the total coal production;

(c) if the reply to (b) be in the affirmative, whether the quality of coal produced from the new mines is inferior to that of the old ones; if so, to what extent; and

(d) the actual extent of the shortage of coal, in view of the coal requirements of various industries, and the figures of the total loss of production due to shortage of coal as per different industries and as per different industrial centres?

The Honourable Mr. A. A. Waugh: (a) The attention of the Honourable Member is invited to the reply given to part (a) of starred question No. 435, answered today.

(b) Yes, Sir. A statement giving the necessary information is laid on the table.

(c) The quality of the coal produced from the new mines is generally inferior, chiefly Grades III-A and III-B.

(d) From November 1943, when the coal rationing scheme came into force, to January 1946 against a target of 57·6 million tons, 53·4 million tons, or 92·7 per cent. of the target, were despatched to all consumers. It is not possible to assess the total loss of production due to the shortage in greater detail or to specify the industries or industrial centres concerned. The shortage was spread over all consumers and over the whole country.

Statement

Year	Number of new coal mines opened	Percentage of output of new mines to total output
1939	7	0·05
1940	10	0·01
1941	20	0·06
1942	101	0·76
1943	31	0·15
1944	57	0·6
1945	95	0·6

Petrol Rationing

443. *Mr. Manu Subedar: (a) Will the Honourable Member for War Transport please state how much petrol was imported into India during the nine months of 1945/46 ending the 31st December, 1945, in comparison with similar import during the nine months of the years 1938/39?

(b) How much of this petrol has been reserved for, or used in connection with, defence purposes?

(c) Why have Government found it difficult to make a more substantial increase in the basic ration than they have done, or to restore the cut in the supplementary ration which was made?

(d) Is the policy in the matter of petrol rationing for civil population laid down Centrally, or is it independently evolved by the Provincial Governments?

(e) Do Government propose to give some facts about the present position and some assurance about relief to motorists in the matter of petrol in the near future?

The Honourable Sir Edward Benthall: (a) and (b). It is not in the public interest to furnish the information asked for.

(c) The position has already been explained in a Press communique issued on January 1st, 1946, and I have further explained it in replies to previous questions in this House. The reference to the cut in the supplementary ration is not understood.

(d) The policy is laid down centrally, but administered provincially.

(e) As I have already stated in reply to a similar question in this House, the supply of petrol to India, as to other countries in the sterling area, is regulated by the availability of supplies and tankers both of which are restricted by the need for the conservation of dollars, and I regret I cannot give any assurance about relief to motorists in the near future. The Honourable Member may, however, rest assured that our demands are being pressed and that relaxation or complete withdrawal of the control will be effected as soon as the supply position permits.

GRIEVANCES OF PERMANENT STAFF OF LATE SUPPLY DEPARTMENT

444. *Mr. Gauri Shankar Saran Singh: (a) Will the Honourable Member for Industries and Supplies please state if it is a fact that a number of Superintendents of the Purchase Branch of the Department of Supply holding permanent service under the Government of India were promoted to the rank of Purchase Officers during the war time;

(b) if it is fact that the work allotted to them was the same and in no way inferior to that given to the temporary Purchase Officers recruited direct for the duration of the war;

(c) if it is a fact that selection of Permanent Officers for the Procurement, Development and other Branches of the Directorate-General of Industries and Supplies are being made almost entirely from among the temporary officers recruited direct in preference to the officers selected from among the Superintendents;

(d) if it is fact that there is disappointment and dissatisfaction among the permanent employees of the Purchase Branch of the late Supply Department due to their rightful claims having been thus overlooked; and

(e) in view of (d) above, do Government propose to review the case and in consideration of the long and satisfactory service put forward by them, allocate a fair percentage of officer posts in the Directorate-General of Industries and Supplies to the permanent staff of the Purchase Branch of the late Department of Supply?

The Honourable Mr. A. A. Waugh: (a) Yes, Sir. Sixteen Superintendents were temporarily promoted.

(b) Yes.

(c) No, Sir. Selection has been made on merits and suitability.

(d) No.

(e) Does not arise.

WAR ORDERS PLACED WITH INDIAN FIRMS

445. *Mr. Vadilal Lallubhai: (a) Will the Honourable Member for Industries and Supplies please state the aggregate cost of total war orders placed with firms in India (commercial and industrial) separately, on behalf of the Government of India, His Majesty's Government and the U.S.A. Government?

(b) What is the cost of goods so ordered, separately, according to categories, namely (i) manufacture of goods in Indian factories etc. (ii) supply of raw materials, (iii) goods that could be procured without recourse to factory production, and (iv) imported goods?

(c) What is the proportion of these orders as expressed in terms of value placed with Indian firms to those placed with non-Indian firms?

(d) What is the share in the supply of these orders of (i) Government factories, (ii) industries established during pre-war period, and (iii) new industries, if any?

(e) Were any of such orders responsible for setting up altogether new industries? If so, will he please state the particulars about these new industries? Do the Government of India propose to safeguard the interests of these new industries in future? If so, in what way?

(f) Are there any instances of war orders which could have been executed in India for the forces stationed here but which were diverted to other countries? If so why were they not accepted by Government for Indian firms?

The Honourable Mr. A. A. Waugh: (a), (b), (c) and (d). A statement of war supplies obtained in India is being prepared and will be laid on the table in due course. I am afraid, however, that it will not be possible in that statement to analyse the figures exactly in the form desired by the Honourable Member.

(e) Yes, Sir. The Honourable Member's attention is invited to the answer I gave on the 19th to his question No. 350. War orders were largely responsible for the growth of the industries mentioned in that answer.

(f) Yes, Sir. The object of Government in diverting certain war orders to other countries was to enable Indian firms to produce civil goods which were in short supply.

INDUSTRIAL CONTROLS DURING WAR

446. *Mr. Vadilal Lallubhai: (a) Will the Honourable Member for Industries and Supplies please give a list of various industrial controls issued during the war time?

(b) How many of these, if any, are cancelled subsequently, and what are they?

(c) What will be the probable duration of the controls which are retained?

(d) Do the Government of India propose to reduce these controls to the minimum at an early date?

The Honourable Mr. A. A. Waugh: (a) and (b) I place a statement on the table.

(c) Most of the controls will be withdrawn within seven or eight months. It will be necessary to retain a few for a longer period, but it is not possible at present to say for how long.

(d) Yes, Sir. The position is being constantly reviewed with that object.

List of Industrial Controls

S. No. 1	Natutre of Control 2	When Introduced 3	When Abolished 4
1	Control over distribution of wattle bark and wattle extract imported at Madras.	1944	...
2	Control over distribution of Crude Tar . . .	1944	...
3	The Sulphuric Acid Control Order . . .	1942	...
4	The Chromme Compounds Control Order . .	1941	...
5	The Coal Tar Products Control Order . . .	1945	...

1	2	3	4
6	Bleaching Powder and Chlorine Control Order .	1945	...
7	Control Over distribution of Road Tar and Bitumen.	1943	...
8	Jute Industry Essential Stores Control Orders .	1943	...
9	Control over Selected Tenneries	1943	...
10	Control over distribution of Cement . . .	1942	...
11	Control over distribution of Diesel Oil . . .	1942	...
12	Control over distribution of Furance Oil . .	1942	...
13	Control over distribution of white spirit . .	1942	...
14	Control of Imported Engineering Store Order .	1943	...
15	Factories Control of Production Order . . .	1942	...
16	Paper (Production) Control Orders . . .	1944	...
17	Machine Tool Control Order	1941	...
18	Non-Ferrous Metals Control Order . . .	1941	...
19	Ferro-Alloy Control Order	1943	...
20	Iron and Steel (Control of Production and Distribution) Order (including Price Control).	1941	...
21	Steel Import Control	1940	...
22	Steel Export Control	1939	...
23	Iron and Steel (Scrap Control) Order (including Price Control).	1943	...
24	Colliery Control Order (including Price Control) .	1944	...
25	The Coal Production Fund Ordinance . . .	1944	...
26	Factories (Control of Dismantling) Ordinance .	1943	...
27	Cotton Cloth and Yarn (Control) Order .	1945	...
28	Textile Industry (Control of Production) Order .	1945	...
29	Cotton Cloth (Control of Printing) Order . .	1945	...
30	Indian Cotton (Control) Order	1945	...
31	Foreign Cotton Control Order	1945	...
32	Textile Industry (Miscellaneous Articles) Control Order	1945	...
33	Starch Control Order	1945	...
34	Cotton Textiles (Dyes and Chemicals) Control Order.	1945	...
35	Zinc Chloride Control Order	1945	...
36	Hydrosulphite of Soda Control Order . . .	1945	...
37	Cotton Textle Sizing and Filling Control Order .	1945	...
38	Cotton Movements Control	1945	...
39	Indian Woollen Goods (Control) Order . .	1944	...

1	2	3	4
40	Rubber Control and Production Order	1942	...
41	The Raw Cinematograph Films (Control of Distribution) Order.	1943	...
42	Control of footage of Cinemat ograph film	1942	...
43	Brass and Copper (Control) Order	1945	...
44	Aluminivm Utensils (Control) Order	1945	...
45	Paper (Prices of Imported Paper) Control Order	1944	...
46	Essential Drugs (Census) Order	1941	1945
47	Agar Control Order	1942	1945
48	Control over certain glass factories	1944	1945
49	Sulphate of Alumina Control Order	1943	1945
50	Stearic Acid Control Order	1944	1945
51	Cement (Movement by Rail) Control Order	1945	1945
52	Cement (Movement by Water-ways Control Order	1945	1945
53	Hides (Movement by Rail) Control Order	1944	1945
54	Timber Control Order (Bombay)	1945	1945
55	Rubber Manufactures Control Order	1944	1945
56	Paper (Packing of Cotton Taxtiles) Control Order	1945	1945
57	Footwear Control Order	1944	1946
58	Control Over distribution of sole leather	1945	1946
59	Control over prices and distribution of grindery	1944	1945
60	Control over the tanneries producing sole leather in Madras.	1944	1945
61	Control over movement of leather from Vizagapatum to any destination other than Madras.	1945	1945
62	Sisal and Aloe Fibre Control Order	1943	1945
63	Iron ond Steel (Movement by Rail) Order	1942	1945
64	Iron and Steel (Movement by Road or River) Order	1942	1945
65	Cotton Baling Hoops (Control of Movement) Order	1943	1945

TRANSFER OF CLERKS TO RAILWAY BOARD

447. *Hafiz Mohammad Abdullah: Will the Honourable the Railway Member please state:

(a) whether it is a fact that a large number of clerks, Class I, grade 1 or 2 were transferred to the office of the Railway Board from the various Railways under their control;

(b) whether it is a fact that these very junior clerks were not selected and recommended by their Railway Administrations on their merits for transfer to the Railway Board;

(c) why the Railway Administrations were not asked to select and recommend suitable clerks for transfer to the Railway Board's Office, keeping in view their order of seniority and suitability;

(d) whether it is a fact that these very junior clerks were promoted to the posts of Assistants in the Railway Board's office raising their emoluments to more than double or treble their substantive pay without holding any selections by competent Selection Boards;

(e) how many of these clerks transferred to the Railway Board's office on promotion as Assistants were Hindus and Muslims; and

(f) whether the Honourable Member proposes to have these cases looked into to see whether the communal proportion fixed for the Muslims was observed?

The Honourable Sir Edward Benthall: (a) Yes. 134 clerks of different grades have been transferred to the office of the Railway Board from various railways during the past three years.

(b) Yes as it is not necessary for Railway Administrations to make selections in such cases. Clerks transferred to the Board's Office from Railways are generally those who can be spared from among suitable volunteers.

(c) Does not arise.

(d) Some of these clerks were promoted to posts of Assistants in the Board's Office as a result of selection by a Selection Board and gained a substantial increase in their emoluments.

(e) 74 of whom 49 were Hindus and 18 Muslims.

(f) No, Sir.

MISMANAGEMENT ON BROACH-KAVI RAILWAY

448. *Mr. Mohammad M. Killedar: (a) Will the Honourable the Railway Member be pleased to state if it is a fact that the management of the Broach-Kavi Railway, a tributary of the B. B. and C. I. Railway was handed over to the Government of His Highness the Gaekwar of Baroda during the war? If so, why was not public opinion invited before handing over this Railway?

(b) Is it not a fact that the whole territory through which this Railway line runs is a British Indian Territory?

(c) Are Government aware of the resentment created amongst the public affected by this transfer, and the mismanagement and the irregular timings of the said Railway?

(d) Have the Railway Board or the Gaekwar authorities received representations from the public in connection with the Broach-Kavi Railway, and what action has been taken or is proposed to be taken in the matter?

(e) Are Government aware that, owing to irregular timings and mismanagement of the said Railway, the postal service in the area of Jambusar Taluka of the Broach District is delayed and disorganised and the trade of the district hampered?

(f) Are Government aware that, at present, a Railway passenger from Broach to Kavi takes 12 hours to cover a distance of 46 miles?

(g) When do Government propose to take the Railway Line back?

The Honourable Sir Edward Benthall: (a) Yes. The Broach-Jambusar Railway with extensions to Kavi and Dahej was sold to the Baroda Government in October 1942. The Bombay Government were consulted and they agreed with the transfer. The fact of sale was mentioned to the Assembly in my speech introducing the Railway Budget for 1943-44. The reasons for handing over the lines to the Baroda Government were purely administrative. That Government having a N.G. System of over 350 miles in their charge closely linked up with these lines, and workshops and other facilities, are in a more favourable position to work these lines than the B., B. & C. I. Railway (Broad Gauge) is, to work and isolated Narrow-Gauge Section.

(b) It is a fact.

(c) to (f). Information is being sought from the Baroda Government.

(g) The question does not arise.

MUSLIM POSTMASTERS GENERAL

449. *Nawab Siddique Ali Khan: Will the Secretary for Posts and Air be ased to state:

(a) the number of posts in the cadre of Post-Master-General; and

(b) how many of these posts are now held by Muslims?

Sir Gurunath Bewoor: (a) Eleven, *plus* one temporary.

(b) None at present.

PERMISSION FOR ISSUE OF MONTHLY *AWAZ-I-ABBAS* DELHI

450. *Nawab Siddique Ali Khan: (a) Will the Honourable Member for dustries and Supplies please state whether in the course of war some magaes were stopped for want of sufficient paper?

(b) Is it a fact that some of the papers that were made to cease publication ring the course of war were not allowed to be restarted on application?

(c) Do Government propose to grant permission for the issue of Monthly *Waz-i-Abbas*, Delhi, whose publication has been authorised by Government eviously, in view of the fact that the war has now come to an end?

The Honourable Mr. A. A. Waugh: (a) Representations to this effect have en made to Government from time to time.

(b) The Honourable Member's attention is invited to clause 9(a) of the aper Control (Economy) Order 1945 under which, except under the authority writing of the Central Government, no newspaper or periodical can be published which was not being regularly published during the period immediately receding the 7th November 1942. Applications for the revival of defunct ewspapers and periodicals have been rejected in recent months on account of arcity of both newsprint and paper, save for exceptional cases.

(c) Government will be prepared to consider the matter afresh if application is made furnished information on the size of the monthly and its anticiated circulation.

HOWRAH AND BENARES CLAIMS OFFICES OF EAST INDIAN RAILWAY

451. *Shri Satya Narayan Sinha: Will the Honourable the Railway Member lease state:

(a) if it is a fact that there are two claims offices on the East Indian Railway, namely one at Howrah and the other at Benares under one Deputy Chief Commercial Manager;

(b) the area served by the offices at Howrah and Benares, separately;

(c) are Government aware that the office at Benares is most convenient and erves the public better than the one at Howrah; and

(d) whether Government propose to shift the claims office at Benares to Calcutta; if so, why?

The Honourable Sir Edward Benthall: (a) There is only one claims office on he E. I. Railway under the direct control of the Chief Commercial Manager hich is at present located at Benares. Two Branches of this office are, however, located at Howrah and Calcutta respectively.

(b) The claims office at Howrah deals with claims arising out of goods consignments booked to Howrah and Calcutta stations The Benares office deals vith claims arising out of traffic booked to stations on the E. I. Railway other han those on the Howrah Division of the E. I. Railway.

(c) No.

(d) Yes For reasons of general efficiency of the claims office as a whole.

SHIFTING BACK OF CLAIMS OFFICE, EAST INDIAN RAILWAY, HOWRAH

452. *Shri Satya Narayan Sinha: Will the Honourable the Railway Member please state:

(a) if it is a fact that a portion of the East Indian Railway claims office had to be moved out of Calcutta when the city was directly threatened by the Japanese, if not, what the fact is;

(b) if it is a fact that Government propose to bring back that office to Calcutta in March, 1946; if not, what the fact is;

(c) are Government aware that residential accommodation for the non-gazetted staff is not available in Calcutta and will not be available for some time; if not, what the fact is; and

(d) if it is a fact that the Director of Accounts, Railway Board, has issued instructions to the Chief Accounts Officer, East Indian Railway, not to bring back the Accounts Office to Calcutta till such time as the Railway Board have given its approval; if so, whether the said instructions are applicable to the claims office also, if not, why not?

The Honourable Sir Edward Benthall: (a) The main claims office originally situated at Calcutta was temporarily evacuated to Benares as a war measure.

(b) It is intended to bring back the main claims office to Calcutta but no date has been fixed as yet.

(c) The position as regards residential accommodation for the staff at Calcutta was very acute during the war but is now generally improving.

(d) No official instructions have been issued by the Board. The second part of the question does not arise.

SHIFTING BACK OF CLAIMS OFFICE, EAST INDIAN RAILWAY, HOWRAH

453. *Shri Satya Narayan Sinha: Will the Honourable the Railway Member please state:

(a) the number of the staff in each category of the East Indian Railway Claims Office, who had to be moved out of Calcutta when the city was directly threatened by the Japanese;

(b) the number of the staff in each category who are to be brought back to Calcutta in March 1946;

(c) whether residential accommodation for the staff to be brought back to Calcutta has been arranged; if not, why not?

The Honourable Sir Edward Benthall: (a) Detailed information is not readily available, but Government understand that 183 permanent clerks originally transferred from Calcutta to Benares are working in the Claims and Refunds Office and the Transit Section at Benares and that 15 permanent and 85 temporary clerks have been engaged since the moving of the office to Benares.

(b) and (c). The intention is to bring all the existing staff of the office to Calcutta in convenient batches as and when office and housing accommodation becomes available. There is no intention of bringing the office back in March 1946.

SHIFTING BACK OF CLAIMS OFFICE, EAST INDIAN RAILWAY, HOWRAH

454. *Shri Satya Narayan Sinha: Will the Honourable the Railway Member please state:

(a) if it is a fact that both the merchants and the public have represented against shifting back to Calcutta of the East Indian Railway claims office at Benares; and

(b) if the reply to (a) be in the affirmative the action taken on the representation; and if no action has been taken, the reasons therefor?

The Honourable Sir Edward Benthall: (a) Some members of the local public of Benares and certain sections of the mercantile communities of the U. P. made representations against the return of the E. I. Railway claims office at Benares to Calcutta.

(b) The Government have considered these representations and have decided to return the office to Calcutta in the interests of general efficiency of the claims office as a whole.

LEGISLATION TO NATIONALIZE INDIAN COAL MINES

455. *Sardar Mangal Singh: Will the Honourable the Member for Industries and Supplies please state whether Government contemplate to take suitable steps to enact necessary legislation to nationalise the Indian coal mines?

The Honourable Mr. A. A. Waugh: As the Honourable Member is aware the Government of India have recently set up an "Indian Coalfields Committee" to report on what administrative measures are necessary to deal with problems of Indian coal mines. An examination of the economics of the coal industry is included in their terms of reference, and it is not proposed to consider the question raised before the report has been received by Government.

SCARCITY AND EXPORT OF CLOTH *vis a vis* CONTROL ORDERS

456. *Shri Mohan Lal Saksena: (a) Is the Honourable Member for Industries and Supplies aware of the fact that notwithstanding the Cloth Control Order the people are not getting cloth and a large quantity of cloth finds its way to black markets?

(b) Are the Government aware that the control order instead of helping the consumers has rather added to bribery, corruption and favouritism?

(c) Are the Government aware that there is an incessent demand to abolish the Control Order as it is working at present? If so, what action if any, do Government propose to take on the representations made by the public as well as business community regarding the modification of the Control Order?

(d) Is it a fact that even now about 25 per cent. of the mills production is commandeered by Government to be sent abroad, quite unmindful of the acute shortage of cloth in India?

The Honourable Mr. A. A. Waugh: (a) No, Sir. The periodical reports from Provinces and States indicate that the great bulk of cloth sent from producing areas to consuming areas finds its way to the people. Black-marketing is usually in the finer qualities of cloth, which are scarce because India's production of them is small.

(b) This is not the view of Government.

(c) There is pressure by some merchants and other vested interests for the abolition of the Control Order. But it is clear to Government from the mass of innumerable correspondence received that the consuming public as a whole do not wish to have the Control Order abolished in the present circumstances of cloth shortage. The cloth control scheme is administered on the advice of the Textile Control Board, which includes representatives of industrial, commercial, labour and consuming interests. This Board has not so far recommended the abolition of the Control Order. In December last the Government of India enquired from Provinces and States whether it would be possible to introduce some measure of relaxation in the cloth control scheme. The unanimous decision of Provinces and States was that it would be premature to do so at present.

(d) Mill production in the year 1945 was about 4,700 million yards. 600 million yards or rather less than 13 per cent. of mill production were allotted for exports. This year the export quota has been fixed at 250 million yards for the first half of 1946. The quota for the second half of the year will be decided after a review to be made next month.

MOVEMENT OF CLOTH AND ITS DISTRIBUTION BY PROVINCIAL GOVERNMENTS

457. *Shri Mohan Lal Saksena: (a) Will the Honourable Member for Industries and Supplies please state if it is a fact that cloth, a commodity as essential as food, has been placed in the 5th class for booking purposes, resulting in locking up of goods and interference in free movement causing great hardship to the consuming public?

(b) Is it a fact that the adoption of Rationalisation Scheme has resulted in the production of unmarketable and inferior varieties of cloth?

(c) Is it a fact that the Textile Board is not in favour of the distribution of cloth by a Provincial Government? If so, what steps have Government taken to eliminate distribution by Provincial Governments?

The Honourable Mr. A. A. Waugh: (a) It is correct that Class V includes general movements of cotton piece-goods". But Class II includes "movements under priority orders, general or specific, of cotton piece-goods". This means that, in cases where it is necessary to avoid holding up of goods, Government can declare cloth consignments as "Priority" and get them moved under Class II.

(b) No, Sir.

(c) The control scheme is administered on the advice of the Textile Control Board, and the distribution scheme, which includes distribution of cloth under Provincial Governments' arrangements, is an essential part of that scheme. The Textile Control Board has not recommended that distribution of cloth under Provincial Governments' arrangements should be discontinued.

MILL RETAIL SHOPS

458. ***Shri Mohan Lal Saksena:** (a) Will the Honourable Member for Industries and Supplies please state if it is a fact that there has been a long correspondence between the Central Government and the Punjab Government and other Provincial Governments on the subject of mill retail shops? If so, will Government lay it on the table?

(b) Is it a fact that mills have been prohibited from opening new retail shops?

(c) Is it a fact that at mill retail shops outside mill premises, prices are much below the market rates? If so, why is not permission given for opening more retail shops by mills especially in places where there are complaints of black marketing?

(d) Is it also a fact that a majority of the Members of the Textile Control Board in July, 1944, opined in favour of opening of retail shops by mills?

The Honourable Mr. A. A. Waugh: (a) There was correspondence, brief, not long, between the Central Government and the Punjab Government last autumn, as a result of which the Central Government, in agreement with the Punjab Government, passed orders that only mill retail shops which were in operation before the 30th June 1944 should be permitted to continue. The correspondence was demi-official, and I do not propose to lay it on the table.

(b) Only those mill retail shops which were in existence before the 30th June 1944 may operate.

(c) Mill retail shops are permitted to sell cloth at the same price as ordinary retail shops. Sometimes mill retail shops sell their goods at prices below the retail ceiling prices, but it is not the policy of Government to allow an expansion of mill retail shops which might undercut and drive out of business the ordinary retail shop-keeper. The total margin of profit between *ex*-mill prices and ultimate retail prices fixed by Government, namely 20 per cent., is not excessive.

(d) No, Sir.

FACILITIES TO MR. KESHO RAM SABARWAL STRANDED IN PEIPING, CHINA

459. ***Shri Mohan Lal Saksena:** (a) Will the Foreign Secretary be pleased to state if his attention has been drawn to the editorial note and letters of Mr. Kesho Ram Sabarwal at present stranded in Peiping, China without money and a passport to get back to India, published in the *Frontier Mail* of February 5, 1946?

(b) What action have Government taken or propose to take to help Mr. Sabarwal to return to this country?

(c) Has the Premier of the North West Frontier Province drawn the attention of the Government of India in this respect?

Mr. H. Weightman: (a) Yes.

(b) The attention of the Honourable Member is invited to parts (b), (c) and (d) of the answer given to Pandit Mukut Bihari Lal Bhargava's question No. 471, on the 19th February, 1946.

(c) No.

SMALL INDUSTRIAL UNDERTAKINGS

460. ***Shri Mohan Lal Saksena:** (a) Will the Honourable Member for Industries and Supplies be pleased to state the number of Industrial undertakings: (i) employing less than 20 persons; and (ii) employing more than 20 persons?

(b) Is it a fact that the number of persons engaged in small industries is 70 per cent. of the total number of industrial workers in this country?

(c) What is the extent to which the small industries have developed during the war, and what steps have been taken to maintain their present position as well as to develop them further?

The Honourable Mr. A. A. Waugh: (a) (i) and (ii). The information available relates only to industrial undertakings which are registered as factories under the Factories' Act 1934. At the end of 1944, up to which period figures are available, there were 14,071 such factories employing 2·5 million workers. These factories employed 20 persons or above but the figures include also a very small percentage of registered factories employing 10 per cent or above. Complete information relating to industrial undertakings employing less than 20 persons is not available.

(b) I have no exact information.

(c) The policy of Government in the matter of giving assistance to industries was explained on 19th February, 1946, in reply to Mr. Vadilal Lallubhai's question No. 350. I place another copy* of that answer on the table. As compared to 1943, there was an increase of 3,500 registered factories in 1944.

DIRECT RECRUITMENT TO SUPERINTENDENTS' POSTS IN DIRECTORATE GENERAL OF INDUSTRIES AND SUPPLIES

461. ***Mr. Gauri Shankar Saran Singh:** (a) Will the Honourable Member for Industries and Supplies please state if it is a fact that direct recruitment to the post of a Superintendent in the various Departments of the Government of India Secretariat and Attached Offices is never made, and that the same is always filled by selection from among the Assistants serving in the Department concerned?

(b) Is it a fact that Government are considering to fill some of the posts of Superintendents in the Directorate-General of Industries and Supplies from among officers who have held gazetted rank during the war time, but have had to be or are likely to be retrenched owing to the termination of hostilities?

(c) If answer to (b) above is in the affirmative, will the Honourable Member please state the reason or reasons for making this departure from standing practice?

The Honourable Mr. A. A. Waugh: (a) No, Sir.

(b) No, Sir. Some men from the ministerial staff were allowed to officiate in Gazetted posts during the war, and are now likely to revert to ministerial posts including that of Superintendents.

(c) Does not arise.

REMARKS ABOUT MAHATMA GANDHI AND CONGRESS BY SIR GIRJA SHANKAR BAJPAI

462. ***Seth Govind Das:** (a) Will the Foreign Secretary please state if it is a fact that Sir Girja Shanker Bajpai, Indian Government's Agent-General in the United States of America, had declared that Bengalis had always been dying of famine and there was nothing new or unusual about the famine situation in Bengal and also that there was plenty of food in India at that time?

(b) Is it also a fact that the same gentleman had also depicted Congress as a fascist organisation and its leaders including Mahatma Gandhi as the agents of Japan?

(c) If the answers to (a) and (b) are in the affirmative what arrangements Government propose to make for contradicting these reports by external publicity?

Mr. H. Weightman: (a) and (b). No such statements have been made by the Agent General for India in the United States of America.

(c) Does not arise.

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*See Legislative Assembly Debates, dated the 19th February, 1946.—*Ed. of D.*

BROAD GAUGE RAILWAY CONNECTING NAGPUR AND JUBBULPORE

463. *Seth Govind Das: (a) Will the Honourable the Railway Member be pleased to state whether he is aware of the fact that the two biggest and foremost towns in the Central Provinces and Berar, *i.e.*, Nagpur and Jubbulpore are not connected by a short direct Railway route?

(b) Is the Honourable Member prepared to consider the claims of the said Province in post-war planning and development to connect these towns by a broad gauge railway, passing through Seoni as was contemplated and planned after the first world war of 1914 and as recommended by a committee set up by the Central Provinces Government which is carried on under Section 93 Government of India Act?

The Honourable Sir Edward Benthall: (a) Yes.

(b) The Govemrnment are aware of the recommendations made by the Provincial Industries Committee, C. P. and Berar, 1945. The Local Government have not, however, asked for this line to be included in the post-war plan of railways.

TRIAL OF RAJA MAHENDRA PRATAP IN JAPAN

464. *Sardar Mangal Singh: Will the Foreign Secretary please state:

(a) whether Raja Mahendra Pratap is being tried as a war criminal in Japan;

(b) whether the Government of India was informed of this decision; whether there are any arrangements for his defence; and

(c) whether proper facilities will be given to any of his relations or friends who may wish to go to Japan for his defence?

Mr. H. Weightman: With your permission, Sir, I propose to answer questions Nos. 464 and 465 together.

The attention of the Honourable Members is invited to the answers given by me to starred questions Nos. 132 and 238, by Shri Mohan Lal Saksena and Pandit Sri Krishna Dutta Paliwal, on the 8th and 13th February, respectively.

WHEREABOUTS OF RAJA MAHENDRA PRATAP

†**465. *Pandit Mukut Bihari Lal Bhargava:** (a) Will the Foreign Secretary be pleased to state if Raja Mahendra Pratap has been brought to India under arrest? If so, where and under what conditions is he being kept at present?

(b) If the reply to (a) is in the negative, do Government propose to disclose his present whereabouts?

(c) Are Government aware that Raja Mahendra Pratap has all along been an advocate of world peace, and has always worked for humanitarian and pacifist policies like the establishment of a World Federation?

(d) If Government have any information that the Aryan Army founded by Raja Mahendra Pratap was not an army to take part in the war but a body of volunteers and pacifists to work against all wars?

(e) In view of the changed political circumstances and public opinion, and particularly, in view of the Government's policy regarding the I.N.A. men, do Government propose to remove restrictions on the free and unhampered movement of Raja Mahendra Pratap in India?

UNSTARRED QUESTION AND ANSWER

TOTAL INDUSTRIAL PRODUCTION

47. Mr. Vadilal Lallubhai: Will the Honourable Member for Industries and Supplies please state the figures of the total industrial production in respect of the major industries, for which the figures are collected by the Government of India for the years 1939-40, 1940-41, 1941-42, 1942-43, 1943-44, 1944-45 and 1945-46 upto date expressed both in terms of value and quantity?

The Honourable Mr. A. A. Waugh: I place a statement on the table showing the production quantities of certain selected industries for which figures are compiled by Government. Information for the year 1945-46 is not available, nor is information regarding values of goods.

†For answer to the question, see answer to question No. 464.

Description	(April to March)					
	1939-1940	1940-1941	1941-1942	1942-1943	1943-1944	1944-1945
	Tons	Tons	Tons	Tons	Tons	Tons
I. Jute Manufactures including twist and yarn.	1,276,909	1,109,252	1,278,961	1,247,231	1,067,857	1,097,000
	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.
II. Paper	1,416,207	1,753,235	1,871,206	1,820,833	1,752,154	2,001,000
	L. P. gallons.	L. P. gallons	L. P. gallons	L. P. gallons	L. P. gallons	L. P. gallons
III. Distilleries and Breweries—						
(a) Distilleries (Country Spirit Indian made foreign Spirit Rectified,, denatured spirit, etc.)	9,241,386	10,586,627	12,850,011	13,592,782	16,028,841	16,790,300
(b) Breweries (Beer) Porter, Stout, etc.)	1,310,888	1,889,361	3,463,414	3,608,927	3,331,788	3,555,400
	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.
IV Paints.	686,843	804,666	1,119,504	990,526	1,149,872	1,129,000
	Gross	Gross	Gross	Gross	Gross	Gross
V. Matches	21,970,104	23,124,788	16,509,312	14,831,047	17,963,932	17,095,000
	Mds.	Mds.	Mds.	Mds.	Mds.	Mds.
VI. Wheat Flour	16,310,547	16,899,640	18,176,999	13,392,485	14,662,663	14,892,000
	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.
VII. *Sugar (12 months—November to October)	25,840,541	23,148,963	15,901,523	21,713,710	17,042,000	22,057,000
VIII. Iron and Steel Manufactures						
	Tons	Tons	Tons	Tons	Tons	Tons
(i) Pig Iron	1,837,636	1,963,278	2,015,221	1,804,353	1,686,551	1,303,000

Industrial Production in India—contd.

Description	(April to March)					
	1939-1940	1940-1941	1941-1942	1942-1943	1943-1944	1944-1945
(ii) Iron Castings and manufactures	Tons. 129,290	Tons 132,390	Tons 140,461	Tons 125,149	Tons 122,913	Tons 106,000
(iii) Steel Ingots	1,070,355	1,253,805	1,363,307	1,299,327	1,365,510	1,264,000
(iv) Semis	872,169	970,633	1,057,887	972,531	1,042,036	952,000
(v) Finished Steel	804,469	679,875	991,962	906,620	978,373	923,000
IX. Petrol	Gallons 21,065,965	Gallons 21,310,553	Gallons 24,403,031	Gallons 28,616,821	Gallons 29,257,414	Gallons 30,611,000
X. Kerosene Oil	28,176,476	39,928,280	36,115,404	24,660,178	16,919,050	15,936,000
XI. Cement	Tons 1,733,400	Tons 1,727,453	Tons 2,222,418	Tons. 2,182,818	Tons. 2,111,218	Tons 2,044,000
XII. Heavy chemicals (Other than Ammonium Sulphate	Cwts. 960,397	Cwts. 1,119,646	Cwts. 1,237,879	Cwts. 1,180,069	Cwts. 1,219,650	Cwts. 1,948,000
Ammonium Sulphate— (i) Neutral and (ii) Acid	Tons. 20,089	Tons 27,653	Tons 29,993	Tons. 25,209	Tons 22,666	Tons 22,405

SHORT NOTICE QUESTIONS AND ANSWERS

NEW DELHI R. I. A. F. AIRMEN'S STRIKE

Sri M. Ananthasayanam Ayyangar: (a) Will the War Secretary please state if a strike of the R.I.A.F. airmen is going on at New Delhi? If so, for how many days past, and how many persons are taking part in it?

(b) How many of the strikers have gone on hunger-strike? If so, for what reason?

(c) Has the military police been called in and are the strikers coerced to resume work?

(d) Have the strikers submitted a memorandum complaining of:

(i) low pay as compared with the total emoluments of similar ranks of British personnel employed which is five times as much;

(ii) difference in quantum of war gratuity, the one offered to an Indian being Rs. 1-12-0 for every month of war service whereas the gratuity per month of war service to British airmen on similar service is about Rs. 10;

(iii) resettlement scheme;

(iv) clothing allowance;

(v) family allowance;

(vi) unemployment pension; and

(vii) conditions of travel, accommodation and food?

(e) Have Government considered the memorandum? If so, with what result? If not, why not?

(f) Have Government already appointed a Committee to inquire into their grievances and will the Government sympathetically consider the elimination of all discriminatory treatments?

Mr. P. Mason: (a) Certain airmen were in a state of indiscipline for varying periods from 15th to 21st February. The total personnel involved was 537. They have now resumed duty.

(b) None

(c) The normal complement of Air Force Service Police established on the stations concerned has been on duty. No special Military Police have been called in nor was any force used.

(d) Yes, Sir.

(e) The memorandum was presented to me personally on the 19th February only. It is now being considered

(f) Government have appointed no committee to inquire into their alleged grievances which will be considered in the normal manner through service channels. In fact, the Air Officer Commander-in-Chief issued an order to the effect that the men must return to duty by 8-30 hrs. on 21st February, which they have obeyed.

Sri M. Ananthasayanam Ayyangar: Is it a fact that the people who have struck work are not officers but only the subordinate ranks?

Mr. P. Mason: Yes, Sir

Seth Yusuf Abdoola Haroon: Is it a fact that eighty of these ratings have been arrested yesterday in Delhi?

Mr. P. Mason: No, Sir; "rating" is a term that is applied to the naval service. Their case—if that is what the Honourable Member has in mind—will be dealt with in the next question.

Sri M. Ananthasayanam Ayyangar: Is it a fact that special police were indented upon for the Palam station here?

Mr. P. Mason: No, Sir.

Sri M. Ananthasayanam Ayyangar: With regard to part (d), may I know whether these differences do or do not exist between European and Indian similar ranks, in regard to pay, war gratuity, clothing and family allowances, etc.?

Mr. P. Mason: Yes, Sir. As I endeavoured to explain in answer to a question on this subject the other day, which I am sorry to say was not reached for oral delivery, there is a very considerable difference between the emoluments of British service airmen and other ranks—and Indian. And I suggested that that was a very important question indeed. If the rates of pay of the Indian airmen, soldiers and naval ratings were raised to the British level it would have an effect, I suppose,—though I am not an economic expert,—on the wage level throughout the country; and it would certainly mean that the size of the armed forces which India can maintain would have to be very considerably reduced. It is not, therefore, a question which can be decided at short notice or in connection with the complaints of individuals, and I suggest that anything which encourages the idea that such an increase could ever be made is very strongly to be deprecated.

Mr. Manu Subedar: Have Government ascertained if there is any connection between the strike of the R.A.F. and the strike which we are discussing?

Mr. P. Mason: I think there probably is a connection.

Mr. M. Asaf Ali: Sir, with reference to the last answer but one I should like to know the view of the Government of India with regard to the strength of the army that India is expected to maintain in case the British personnel is completely withdrawn from India. I take it that in that case more than half the expenditure now incurred on the fighting forces will be saved which we can spread over the rest of the forces that we want to maintain; in fact we can increase that number.

Mr. P. Mason: I do not think that question really arises out of the short notice question passed; but the answer really is that the whole problem will be one for the future Government to decide.

Mr. M. Asaf Ali: Precisely; I simply want to contest the point which the Honourable Member raised about the strength of the forces. He said that if these questions were considered, the question of a rise in pay and allowances would mean a reduction in the size of the forces. I say there will be nothing of the kind, because if the British forces are withdrawn from India the expenditure incurred on them will be saved to us and we can always readjust the whole thing.

I quite realize that if the Government is going to hand over power after a short time and we are going to take over the entire forces, we can decide the whole thing ourselves—I can understand that. But that is not the answer. The point is if the demands that are made today are conceded, it would mean the reduction of Indian forces. I do not agree with that.

Mr. P. Mason: I am not quite sure what the question is.

Mr. M. Asaf Ali: My question is very simple. Is the Indian Government now prepared to consider the question of withdrawing the British forces from India altogether and as quickly as possible?

Mr. P. Mason: No, Sir. I have already stated more than once in the course of this Session that a definite decision in that respect has to be taken by the future Government.

Mr. M. Asaf Ali: If the matter is left to the future Government, then I take it that they are not prepared to consider this matter at all.

Mr. P. Mason: That was the answer which I gave to the question.

Sri M. Ananthasayanam Ayyangar: How then he proposes to avoid this racial discrimination between one community and the other?

Mr. P. Mason: It cannot be avoided.

Sri M. Ananthasayanam Ayyangar: May I know if the Honourable Member's Department has not induced Graduates, Double Graduates, and M.As., to join Defence Services on a pittance of Rs. 70 a month.

Mr. P. Mason: I require notice of that question.

Sri M. Ananthasayanam Ayyangar: May I know if for similar ranks a European is given Rs. 300 a month.

Mr. P. Mason: I require notice of that also.

Mr. M. Asaf Ali: May I ask another question which I think is intimately connected with the question that has been asked. Is there any news about the strike spreading to other units stationed elsewhere?

Mr. P. Mason: Yes, Sir. There is news of a non-violent demonstration—I will not use the word 'strike'—I dislike it very much and I don't think it should be applied to the armed forces—at Lahore this morning, and somewhere else, but I am afraid I have not got it in writing. There are however, further instances that have come in this morning.

Mr. M. Asaf Ali: In view of what has happened, and in view of the fact that strike is spreading, is the Honourable Member prepared to appoint a committee immediately to go into the whole question?

Sri M. Ananthasayanam Ayyangar: Including non-officials.

Mr. P. Mason: To go into what question? The question of pay?

Mr. M. Asaf Ali: Everything concerning these services. Because, after all, the whole thing is assuming large proportions and it appears that the whole thing is being mishandled, and, therefore, I should like to know what exactly the Government of India proposes to do in respect of the epidemic spreading throughout the country?

Mr. P. Mason: With regard to pay a committee has already been appointed to consider the matter. They will be collecting evidence of every kind, and enquire into this question, which I may say is one of extreme complication and they will be reporting, I should imagine, sometime during the summer by which time, I hope, that there will be another Government to consider their report.

Mr. M. Asaf Ali: May I know whether the Government is prepared to refer the whole of this question to the Defence Consultative Committee which was proposed only yesterday. Let the Defence Consultative Committee consider the whole question in its entirety and advise the Government as to what steps they should take under the circumstances. As the Government is not handling the situation properly, and it is being resented throughout the country as far as I know I want close association of the representatives of the country—of representatives of this House—with the whole of this question. Let the Defence Consultative Committee take up the whole matter and thrash it out.

Mr. P. Mason: I agree; it is an excellent idea that the Defence Consultative Committee should discuss this matter thoroughly.

Sri M. Ananthasayanam Ayyangar: May I ask the Honourable Member to give an assurance that none of the strikers will be victimized?

Mr. P. Mason: If by 'victimized' the Honourable Member means punished, I could not give such an assurance.

Diwan Chaman Lall: As the Honourable Member considers the suggestion made by my Honourable friend, the Deputy Leader of the Opposition, to be an excellent one, may I know whether he is prepared to let this House know, and how soon, whether that suggestion has been accepted by Government?

Mr. P. Mason: Yes, Sir.

Diwan Chaman Lall: How soon?

Mr. P. Mason: As soon as I know.

Mr. President: The next three questions may be put one by one, and then the War Secretary will answer them together as they deal with the same matter.

STRIKE ON H. M. I. S. TALWAR AT BOMBAY.

Seth Yusuf Abdoola Haroon: Will the War Secretary please state:

(a) since when the strike started in *H.M.I.S. Talwar* at Bombay;

(b) whether the Government has made any enquiry into the matter;

(c) whether the Government contemplate appointing any enquiry committee to find out the reasons for this strike;

(d) whether it is a fact that the strike in *H.M.I.S. Talwar* was due to some of the ratings being arrested;

(e) whether it is a fact that these arrests followed because of the trainees shouting political slogans and the I.N.A. slogans;

(f) whether it is a fact that they were harshly treated and given severe punishment;

(g) if the answers to (d) to (f) are in the affirmative, what action Government contemplate taking;

(h) whether the strike in *H.M.I.S. Talwar* was due because of rigorous punishment awarded to some of the ratings on account of their interest in political matters;

(i) whether it is a fact that the Officers-in-Charge of the Establishment were unduly and unjustly rude to them; and

(j) what action Government contemplate taking against the officers, in question?

STRIKE ON H. M. I. S. TALWAR AT BOMBAY.

Mr. M. R. Masani: Will the War Secretary be pleased to state:

(a) whether it is a fact that on the evening of the 17th February, 1946, ratings of the *H.M.I.S. Talwar* of the Royal Indian Navy stopped drawing their rations and on the morning of the 15th struck work;

(b) whether the cause of their action was the insulting and abusive language used by Commanding Officer King of the *H.M.I.S. Talwar* on the 15th instant;

(c) whether on and after the 18th instant the ratings in the other units and establishments in Bombay of the Royal Indian Navy also desisted from drawing their rations and joined in the strike;

(d) whether ratings of ships at sea have also joined in the strike;

(e) whether the number of strikers now exceeds 15,000;

(f) whether all the strikers have jointly set up a Central Naval Strike Committee to negotiate with the authorities for the redress of their grievances and the settlement of the dispute;

(g) whether the grievances include—

(i) insulting and abusive language used by Commander King of the *H.M.I.S. Talwar*,

(ii) bad treatment generally by officers,

(iii) arrest and punishment of two of their members for expressing their political sympathies,

(iv) bad quality of food;

(v) delays in demobilisation and uncertainty of future employment;

(vi) fresh recruitment of British personnel; and

(h) what measures Government have taken and are taking to remove the grievances of the ratings and to secure an amicable termination of the dispute?

ROYAL INDIAN NAVY TROUBLE IN BOMBAY AND KARACHI

Mr. D. P. Karmarkar: Will the War Secretary please state whether he has any information and, if so, what, regarding the Royal Indian Navy trouble in Bombay and Karachi?

Mr. P. Mason: Sir, I have three questions on this subject and two of them are of some length. If you give me permission, Sir, I propose to reply by a lengthy statement in which I will state the information that we have up-to-date on the whole subject.

Mr. President: Yes, the Honourable Member may.

Mr. P. Mason: On Monday the 19th of February, at 12-00 hours, that is mid-day serious trouble broke out in *H.M.I.S. Talwar*, the R.I.N. Signal School in Bombay. All ratings, except Chief Petty Officers and Petty Officers refused duty and refused to listen to their officers. The establishment includes about 1,100 ratings. The Flag Officer, Bombay at once took over charge of this establishment himself and visited it, but he was unable to find out that day what men's grievances were. The Flag Officer Bombay came to the conclusion however that the Commanding Officer of the *H.M.I.S. Talwar*, should be replaced and he was replaced by a senior and very experienced officer.

On Tuesday 19th February, the trouble spread to the R. I. N. Depot and Castle Barracks, Bombay, and the ships in Bombay Harbour. There was considerable rowdyism in the streets and the civil police made some arrests of ratings involved in acts of violence. During the course of this day, the Flag Officer, Bombay, visited *Talwar* and he met, fourteen ratings who came forward as leaders or spokesmen, and then for the first time he found out, what the demands of the men were. They were as follows:—

(1) No victimization of the so-called strikers.

(2) The release of R. K. Singh, telegraphist from Arthur Road prison immediately;

(3) Speedy demobilization according to age and service groups with reasonable peace-time employment;

(4) Immediate disciplinary action against Commander King for his behaviour and insulting language used by him to the personnel of *Talwar*.

(5) The best class of Indian food.

(6) Royal Navy scales of pay, family allowances and travelling facilities and the use of Navy, Army and Air Force Institute Stores.

(7) No kit to be taken back from R. I. N. personnel at the time of release.

(8) Immediate grant of war gratuity and Treasury pay on men being released.

(9) Good behaviour of officers towards the lower deck men.

(10) Quicker regular promotion of the lower deck men to officers and all new officers coming from abroad to be stopped.

(11) A new Commanding Officer for the Signal School. Commander Cole, who had been the previous Commander to be reappointed.

(12) All demands were to be decided by the authorities concerned through a national leader whose name would be given.

The fourteen ratings also wished to make a protest to the Government of India regarding (a) I. N. A. policy (b) firing on the public in various places and (c) the use of Indian troops in the Middle East and Near East.

On the 19th February some 120 ratings in Calcutta staged, what was described as a sit-down mutiny with somewhat similar demands. During the night 150 ratings led by an officer proceeded from Marve to Bombay and tried to break into the Central Communications office They were not successful and were locked up on their return to Marve. On Wednesday, 20th February there was no serious rioting during the morning although the streets were crowded with ratings who refused to do their duty or obey orders. The Flag Officer, Bombay, issued a message in the afternoon which was read verbally to all establishments and ships' companies by their Commanding Officers and announced in the harbour by loud hailers. This ordered all ratings to be in their ships or establishments by 15-30 after which any found outside would be liable to be arrested.

[Mr. P. Mason]

By this time the mutiny had spread to other establishments in the neighbourhood of Bombay but in these establishments the ratings were not, and still are not, using violence. It is notable also that the dockyard workmen have refused to join in the trouble.

On the 21st February, at 21-40 hours, ratings who in accordance with the arrangements of the 20th were confined to their barracks, began to try to break out of their barracks and a Guard from the Maharatta Light Infantry who had been posted on the Barracks were compelled to open fire which they did with single shots. The Guard was stoned by the ratings who then obtained rifles and ammunition and returned their fire. Shortly afterwards a report was received that ships in the harbour were raising steam in oder to hoist the ammunition for the four-inch guns. Rifle fire from the ships to the shore continued during the morning and a few rounds of light shell fire, I think from Derlikons, which fire small shells, were fired towards the town. One small shell caused injuries to several civilians.

At 14-30 hours, the Flag Officer, Bombay, proceeded to the dockyard and met the leaders of the mutineers to whom he gave a very serious warning, telling them that no conditions other than unconditional surrender would be accepted, that the troops would in no circumstances be withdrawn and that overwhelming force would be brought to bear if the mutineers persisted in their present attitude. The Flag Officer Commanding broadcast about the same time a message which probably all Members have seen in the newspapers this morning.

Sri M. Ananthasayanam Ayyangar: A threat.

Mr. M. R. Masani: It is a disgrace.

Diwan Chaman Lall: Offering to blow up the Navy.

Mr. P. Mason: After that the cease fire order was hoisted and there was not more firing from the ships during the afternoon but later in the day there were sporadic outbursts of firing in the Castle Barracks area. There are, however, indications that the situation is still very serious. An outbreak of indiscipline of this kind cannot be regarded in the same way as a trade dispute and must be dealt with firmly although not vindictively. Of the demands of the men, that for improvement in the quality of food was met as soon as it was made known, although the standard of rations in this service is already considerably above the Army standard.

Sri M. Ananthasayanam Ayyangar: Wretched quality.

Mr. P. Mason: I have seen the food itself.

Sri M. Ananthasayanam Ayyangar: Did you take that food.

Mr. President: Order, order; Let the Honourable Member finish.

Mr. P. Mason: Of the other demands, those relating to individual officers and men are being enquired into. No one has yet heard what it is that Commander King is supposed to have said. He himself is quite definite that he used no insulting language. The question is however being enquired into. Nor is it known in Delhi what was the charge against R. K. Singh. Telegraphist Dutt was dismissed from service for writing slogans on *H. M. I. S. Talwar*. This is a simple disciplinary action and no service can proceed if the acts of Commanding Officers are to be called in question by ratings. Of the remaining demands those which appear to be the most important relate to rates of pay and gratuity. As I have already explained in connection with the R. I. A. F. the rates of pay in this service as in the Air Force are considerably higher than those in the Indian Army. If you raise the pay of the Navy you would certainly have to raise the pay of the Army with inevitable repercussions on the wage level throughout the country. I put it to the House that it is at present impossible with India's finances for her to accept the proposal that the wages of Indian servicemen should be raised to the level of the British service which are related to the wage levels in the United Kingdom. If such a demand were to be

accepted, it would mean that the size of the armed forces would have to be very considerably reduced.

In the light of this general statement, I turn to the detailed question.

Before that I would like to give some more recent news which has come in this morning.

Seth Yusuf Abdoola Haroon: The Honourable Member has not referred to Karachi.

Mr. P. Mason: I am going to do that.

Here is a report from Karachi received this morning. *Himalaya*, that is the Gunnery School, *Chamak* that is the Radar School, and *Bahadur* which is one of the two Boys' Training Establishments, and all three of which are on Manora Island, are quiet although they are affected. It remains to be seen if they return to their duties this morning. They were addressed last night and received the address of their Commanding Officer in a reasonable spirit. The sloop *Hindustan* is in the hands of the mutineers. It has a personnel of about 300 ratings. The position regarding this ship was that yesterday a number of ratings from the shore establishments tried to reach the ship. They reached the ship and my information, which is slightly different from that of the press—but I am not quite sure which is right as I have not had my information confirmed—is that military police went to the ship to arrest those who had left the shore establishments to go to the ship and they were fired on from the ship. They then returned the fire of the ship and thereupon the *Hindustan* opened fire with all her guns. The firing lasted about ten minutes. This morning the *Hindustan* is berthed alongside and Commodore Curtis, who is the naval officer in charge, is going to the ship this morning in a final attempt to make them see reason. If they do not, force will have to be used. The shore establishment, *Dilawar*, another boys' training establishment at Karachi, which is on the mainland is unaffected. Another shore establishment *Valsura*, the Torpedo School is also unaffected. All small arms and ammunition have been removed from the Manora establishments and it is expected that these establishments will return to duty-today. Commodore Curtis spoke to them last night and he received what is described as an "ovation". That is the position in Karachi.

The latest news from Bombay is that by 8 o'clock last night all available small arms and ammunition at Castle Barracks were surrendered to the naval officers who entered the barracks. The ratings in the dockyard and ships still have arms. There was much talk between the ships by signal during the night. This is a point to which I would draw the particular attention of the House. It appeared from these radio signals between ships that there are two parties among them. The majority of the mutineers were impressed by the warning given to them by the Flag Officer Commanding the Royal Indian Navy and by the Flag Officer, Bombay, and would like today to come to terms. There is, however, a small party, who advocate continued violence. They say that the support of all political parties is behind them: therefore they should proceed in their attempt. They say that the case is going to be discussed today in what they refer to as 'Parliament', which I think may mean the Assembly.

Mr. M. Asaf Ali (Delhi: General): When they say 'Parliament', why do you imagine it means the Assembly?

Mr. P. Mason: It is only a surmise.

Mr. M. Asaf Ali: You would do well to leave that out.

Mr. P. Mason: Very well. There was a little rioting in the city during the night, which, I do not think arose out of these disturbances as it does not appear that the ratings were taking part in it. I think the *goondas* of the city were

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taking part in it. One sub-lieutenant of the R. I. N. V. R. was killed by a bullet. There was no wide-spread disturbance at Bombay and the ships were flying the 'Cease Fire' flag. In all the shore establishments the situation is that the majority of the men are in the establishments and are quiet but are refusing work.

Karachi, I have given you the position. At Jamnagar, *Valsura* the Torpedo School, is unaffected. Cochin is unaffected. Madras: 80 ratings marched through the streets in sympathy with the Bombay men but returned quietly to their barracks on the advice of their officers. Vizagapatam: The position is the same as in Madras. 150 ratings demonstrated but returned quietly. Calcutta: Four hundred ratings still refuse to work. In Delhi, about which my friend asked, 39 men yesterday refused duty and were arrested. That is the news I have.

Perhaps it would help the House if I read out the whole question part by part and repeat the answer.

First Question.—(a) When the strike started?

This has been answered.

(b) Whether Government made any enquiry and (c) whether Government contemplate appointing any enquiry committee.

Answer to (b) and (c): The first thing is for the men to return to duty. When this has been done a full enquiry will be held.

(d) Whether it is a fact that the strike was due to some of the ratings being arrested: (e) whether it is a fact that these arrests followed because of the trainees shouting political slogans and the I. N. A. slogans.

Answer: One of the causes alleged by the men, though I should say I do not believe it, is the punishment of two men, R. K. Singh and P. C. Datta: but this does not appear to be the main cause.

(f) whether it is a fact that they were harshly treated and given severe punishment: (g) and the action Government contemplate taking: (h) whether the strike was due because of rigorous punishment awarded to some of the ratings, (i) whether it is a fact that the officer-in-charge was unduly and unjustly rude to them: and (j) what action Government contemplate taking against the officers in question.

The answer to all these points is that the information is not available at present but the matter will be enquired into fully as soon as the ratings return to work.

Second Question.—(a) the date on which the ratings struck work: (b) whether the cause of their action was the insulting and abusive language used by Commander King: (c) whether on and after the 18th instant the ratings in the other units and establishments ceased work—I have answered that—: (d) whether ratings of ships at sea have also joined in the strike.

Answer: No, Sir. As far as is known, none.

(e) Whether the number of strikers now exceeds 15,000.

Answer: It is rather less than 12,000.

(f) Whether all the strikers have jointly set up a Central Naval Strike Committee.

Answer: Yes, Sir.

(g) and (h) refer to grievances, which I have explained at length.

(h) asks what measures Government have taken. To that the answer is that a full enquiry will be made as soon as the men have returned to work.

Mr. M. R. Masani: Will the Honourable Member kindly state if it is a fact that, as reported in the *Free Press Journal* of Bombay of February 19th, the language used by Commander King to his ratings included phrases like "sons of coolies" and "sons of bitches"?

Mr. P. Mason: I have not seen that report but as I said, the question of what he said will be inquired into and is being inquired into and he himself is quite positive that he used no insulting language.

Mr. M. Asaf Ali: I recognise, after the long statement the Honourable the War Secretary, has made on the floor of the House and the information he has given, that the situation is extremely grave. We would therefore be most reluctant to say or do anything which might make the situation, which is already bad, worse. It is not a suitable occasion for questions, quick-firing replies and retorts: it is a matter which requires deep, deliberate and very serious consideration. Therefore, as my suggestion has already been characterised by the War Secretary as an excellent one, my suggestion being that the whole question should be referred immediatetly to the Defence Consultative Committee, I feel that a definite assurance should be given to us on that point; and pending the determination of these issues under the advice of the Defence Consultative Committee, all other action should be suspended, whether it is in the nature of immediate steps that the Government now propose to take or others. I say so for a very good reason.—I hope I shall be excused for making this statement—I say so because the situation is becoming more and more grave every moment. I see the following reports in the newspapers. The War Secretary has referred to Vice-Admiral Godfrey's broadcast. Let me tell him that but for certain portions of that broadcast, I would not have given notice of the adjournment motion which I have given to him. The words he used were:

"To continue the struggle is the height of folly when you take into account the overwhelming forces at the disposal of the Government at this time and which will be used to their utmost even if it means the destruction of the Navy of which we have been so proud".

I want the House to note the words "even if it means the destruction of the navy of which we have been so proud". On top of that has come another piece of news from London to this effect.

"Certain vessels of the Royal Navy are proceeding towards Bombay, said Mr. C. R. Atlee, Prime Minister in the House of Commons today after Mr. Henderson Stewart had moved adjournment of the House on a matter of urgent public importance, namely, the grave extension of mutiny among a section of the Royal Indian Navy".

The broadcast of Vice Admiral Godfrey and this item of news point to a very serious situation, namely, that the British forces are going to be used to destroy the Indian navy. Is that a situation which we can contemplate with equanimity? We cannot, the army is ours, the navy is ours. The Indian fighting forces are ours; we want to maintain them intact; and therefore the sooner we can bring about a peaceful situation the better. There can be some objection to political parties outside the House interesting themselves in this affair. But there can be no objection to the Defence Consultative Committee, on which would be represented the various parties as well, taking notice of this question and advising the War Department to take proper action in the circumstances. Let us be seized of the whole question; let us go into the whole matter, and let us see how we can bring about what may be both in the interests of the country itself and these three services. After all we want to maintain a good fighting machine, but at the same time we want to maintain a patriotic army; we do not want a purely mercenary army. It may be a good ideal for those who want to use such a machine, a mercenary machine—I do not wish to use that term in any derogatory sense whatsoever, I am using that term in a particular context and with great reluctance. I can assure you that I dislike using that expression. But I want to make it perfectly clear that the country will certainly back its army right down to the last man only if the army is patriotic; and I also make it perfectly clear that I would not like to see the army torn by party politics. That I want to make perfectly clear That is not our objective. But at the same time I say, do not mishandle the situation. Please let us look into the whole question carefully, and in the meantime do not take any action which may make matters worse.

Mr. P. Mason: On behalf of Government I agree to the proposal that the Defence Consultative Committee should consider this as soon as possible. The only point I would make is what exactly is meant by as soon as possible. I

[Mr. P. Mason]

suggest it should be by agreement between the War Department and the representatives on that committee of the parties with the largest number of members or whoever they may like.

Prof. N. G. Ranga: And in the meanwhile all reprisals should be stopped.

Mr. President: So I understand the position now to be that, in view of what has fallen from the Honourable the Deputy Leader of the Congress Party and also from what has been said by the War Secretary, there is no occasion now to have any supplementary questions over this short notice question. I entirely share that view; and the delicate situation need not be mishandled by any kind of discussion, which may not be, after all, necessarily conducive to a peaceful settlement of the whole question. Then what about the adjournment motions?

MOTION FOR ADJOURNMENT.

Mr. M. Asaf Ali (Delhi. General): The object of the adjournment motion in which I gave notice was exactly the same. The terms in which I couched it were as follows:

Miss Maniben Kara (Nominated: Non-Official): With reference to the

"To discuss a definite matter of urgent public importance, namely: the grave situation that has arisen in respect of the Indian Navy, affecting practically the whole of it, as a result of mishandling by the immediate authorities concerned".

I made a point of putting the adjective "immediate" there—immediate authorities concerned. The statement we have here from the War Secretary makes it perfectly clear that the situation was mishandled in the beginning. Had it not been mishandled in the beginning, the more serious developments would not have taken place. It is perfectly obvious to my mind that the fire of grievances was smouldering, and it is an amazing thing that those who were immediately in charge of the situation did not take notice of those things: it is a matter of two months since a certain arrest took place of R. K. Singh—it was about two months ago that R. K. Singh was arrested and the authorities did not even know of it. They are still waiting to find out why he was arrested, and what were the actual causes of his arrest. That shows how utterly ignorant the immediate authorities were on that occasion; they did not realise. . . . . .

Mr. P. Mason (Government of India: Nominated Official): May I explain, on a point of fact? What I said was that we in Delhi did not know why he was arrested or why he had been punished, because there has been a considerable measure of decentralisation in all these matters affecting the armed forces; otherwise this General Headquarters would have to be even more vast than it is now.

Mr. M. Asaf Ali: I accept the explanation of the Honourable Member. What I am trying to point out is that the immediate authorities who were in charge of the navy, particularly of those units, where these incidents took place, were utterly ignorant of the feelings of their men. It is the most amazing thing, and if you ask me it is a monstrously scandalous thing that the authorities who ought to know the feelings of their men from moment to moment were not aware of the fact that political feelings were running high, the political feelings of the men who were there, and they took action which set a match to the whole situation; and when the conflagration started they started taking action. What is the meaning of all this? This was followed by another arrest of Datta, the chief telegraphist . . . .

Mr. P. Mason: Ordinary telegraphist.

Mr. M. Asaf Ali: Whoever it may be—that took place some time ago. Even that was not quite such a serious grievance, when subsequent events developed.

With regard to the attitude which C. O. King adopted, whatever may be the information of the Government here, our information is that he misbehaved himself in many ways—the way he handled the men, the way he spoke to the men. His language was atrocious and that brought about the beginning of the

strike. Even then it was possible to deal with the situation a little more tactfully and discreetly. It was not done and when the trouble spreads, they suddenly bring down their guns and want to blow up the whole Navy. (Interruption).

I am not thinking in terms of money. I am thinking in terms of feeling, in terms of humanity, in terms of my country. Money is of no consequence to me. I am thinking of the deeper feelings of the country. I am thinking of the general effect it is going to have throughout the East. Do they realise that today we find the whole East absolutely aflame. We know what is happening in Cairo, in Egypt, in Indonesia. Don't they see a family resemblence in all these? These are not of our creation. It is the creation of the last five years of war and we ought to take note of them. Are they so unimaginative that they cannot realise that a new world has arisen. We are going through a travail and it is through this travail that we have got to steer our bark as carefully as possible. This highhanded attitude will not do. We must take note of the new feelings in the world and in view of these facts, I suggest that although I have given notice of this adjournment motion, I will not press it today, provided what I have said is carried out, namely, that a peaceful settlement of the whole thing is decided upon as a matter of principle and in the meanwhile let the Defence Consultative Committee be consulted and let these people be informed that the whole question is being referred to the representatives of the people in consultation with whom the War Department will formulate its policy of the future. Let them be informed about this. I even go to the length of saying, if the House agrees and if the House will allow me, that I am prepared to go and have a talk with these people. I am prepared to do that. I do not lay it down as a condition or anything of that sort. I have already made a suggestion. Let that suggestion be carried out and I hope the whole thing will be controlled in an amicable manner and in these circumstances I shall not move my adjournment motion.

SITUATION *re* STRIKE AT BOMBAY AND KARACHI BY R. I. N. RATINGS

adjournment motion before the House I feel . . . . . .

Mr. President: There is no adjournment motion before the House now.

I want to know what the Honourable Member meant by 'not pressing the motion'.

Mr. M. Asaf Ali: I shall not move it today, pending what arrangements are going to be made.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): After what my Honourable friend Mr. Asaf Ali said, it is hardly necessary for me to say more than a few words. The position is serious beyond words; and we on this side of the House feel that it has been bungled by persons who ought not to have been placed in the positions they have been placed. But I entirely agree with my Honourable friend Mr. Asaf Ali, the Deputy Leader of my Party, that we should not say anything today which might make the situation more difficult. At the same time I feel, Sir, that having regard to the latest news that we have got, that the situation has worsened in Bombay and also in Karachi, we cannot be a party to dropping the adjournment motion altogether. I therefore have a suggestion to make following what Mr. Asaf Ali said just now. It is open to you either to fix a time today or fix a time on Monday next. If you leave the matter open, we shall study the situation carefully and come up before you again with our suggestions as to whether the adjournment motion should be taken up in the House and if so when it should be taken up.

Mr. P. Mason: I donot think, it is correct to say that the situation has worsened. I believe by yesterday evening the situation was very much better.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): What is the situation now?

Mr. P. Mason: It is very much better. I think there is very good hope of a reasonable solution being reached in the course of today. I can quite understand my friend not wanting to withdraw his motion. It might mean that he would be told on Monday, that the matter was no longer urgent; but the Government will not oppose the taking up of the motion on Monday if the matter is considered urgent.

Mr. President: Then I understand that the Honourable Member, Mr. Asaf Ali, wants the motion to be admitted but agrees that the consideration may be postponed.

Mr. M. Asaf Ali: That is exactly my position.

Mr. President: The motion is in order. It has to be admitted. I admit it but the discussion of it will take place on Monday. I think that will satisfy the Honourable Member.

Mr. M. Asaf Ali: Thank you.

Mr. M. R. Masani (Bombay City: Non-Muhammadan Urban): May I know what happens to my adjournment motion?

Mr. President: It is the same motion?

Mr. M. R. Masani: Before you come to a decision on that, may I be allowed to say something on this matter?

Mr. President: So far as admissibility is concerned, I wish to make my position clear. Both of them deal with the same subject. What the Honourable Member wishes to say with reference to his adjournment motion can be said during the course of the discussion of the other adjournment motion.

Mr. M. R. Masani: There may be certain circumstances which might make it more desirable that this matter should be brought up again at 4 o'clock today. A suggestion has been made by my Leader and Deputy Leader, and I am naturally in their hands. It was decided that the Consultative Committee would be seized of the matter. The Honourable the War Secretary thought that the matter may be amicably settled by the evening. If that is the case, I should have thought that the more desirable procedure would be to fix the motion of my Honourable friend Mr. Asaf Ali for this afternoon and to request the Consultative Committee to meet in the meanwhile and to come to this House with an agreed solution. I am told that the Committee is not even constituted. I confess I feel very embarrassed at the procedure suggested.

While I naturally defer to the decision of my leaders, I do feel that in view of the threats of force and violence held out against our ratings, it is undesirable that we should keep silent while action is being taken against our men. In this morning's newspaper, I find that the British Parliament is going to be seized of the matter today. If the British Parliament can discuss this matter without insecurity to the Empire or to the armed forces, I find it difficult to understand why the Assembly of this country, to which the Navy in question belongs, should be considered a danger if it discusses this matter. At the same time, the British Parliament is interested in an entirely different point of view. That being the case, I do ask my Leader and Deputy Leader whether some way can not be found of bringing up this matter this afternoon. The motion can be tabled for the evening, but it may or may not be pressed at the time. This procedure will certainly be more in the national interest as well as fairer to these men whose point of view has not been mentioned at all.

My Honourable friend the War Secretary has been very fair. He has given a factual statement and I know he has done his best in an impartial and detached way, but naturally his information is all one-sided and the 12 or 15 thousand men involved have also a say in the matter.

The word 'mutiny' has been used to browbeat us. After all there have been other mutinies in our history and we have come to be proud of them.

Prof. N. G. Ranga: There will be many more.

Mr. M. R. Masani: I want to urge that there is another side to this question and I trust that an opportunity will be given to representatives in this House to discuss it.

Mr. President: I quite appreciate the Honourable Member's point of view. But there are many hurdles. The first is that his adjournment motion comes next in the order to the adjournment motion of the Honourable the Deputy Leader and no two adjournment motions can be taken up on one single day. That is the first hurdle which it is impossible to cross over. As regards the other point it is not for me to enter into any arguments. But the Honourable Member himself has said that the point of view of the British Parliament in discussing an adjournment motion is entirely different from and perhaps contradictory to the point of view which this House may have. Therefore, it is better not to have a discussion so long as there is a hope of a settlement. The Defence Consultative Committee will be constituted on the 26th and that is also another reason. I suggest that it may be put off for Monday. But consultations may go on informally between Members and, if necessary, it may be put off even after Monday unless something happens in the meanwhile which compels—I shall not say the mover—but the Deputy Leader to press his motion on Monday.

12 NOON.

Mr. M. R. Masani: If the Defence Consultative Committee meets on the 26th I fail to understand how on Monday we shall be in a better position to discuss the matter.

Mr. President: The question need not be argued further.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, you have given a ruling and it has been accepted. Where is the need for the Honourable Member to discuss it further?

Mr. President: It is therefore that I say that no further discussion is necessary.

Mr. Manu Subedar (Indian Merchants Chamber and Bureau: Indian Commerce): Sir, the word "mutineers" should be dropped by the War Secretary in the interests of peaceful settlement. According to himself there is only a small fringe of men who are affected, but he has constantly used in his statement the word "mutineers" for these boys. I suggest that in the interests of peaceful settlement, of which we are all anxious and of which he is himself anxious, the use of the word "mutineers" as applied to these boys may not be made.

Mr. P. Mason: I have two points to make on that, Sir. The first point, Sir, is a technical one. Anyone who refuses to do his duty is a mutineer. In regard to the second point, since we are not going to discuss it further, I won't use the word any more today.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): In view of the whole situation, is it not possible for us to decide that we meet tomorrow morning again instead of on Monday so that, if there be need, we might take this up for discussion?

Mr. President: Tomorrow is earmarked for Bretton-Woods, unless it falls through.

Pandit Govind Malaviya: It has fallen through.

Mr. President: Then we have a holiday.

Pandit Govind Malaviya: I do not wish to suggest anything to upset the arrangement which has been agreed to. But in view of the urgency and the importance of the matter, is it not possible that we should forego our holiday tomorrow and meet here so that, if the situation is such that something has to be done immediately, we might discuss it? Otherwise we might adjourn.

Mr. President: The House does not seem to be inclined to sit on Saturday.

[Mr. President]

Moreover it is better to take it on Monday as, in the meanwhile, more information will be available as to how far the negotiations have progressed and what the facts are. There need not be any further discussion or point of order. Is it certain that we are not meeting tomorrow for discussing Bretton-Woods?

The Honourable Sir Archibald Rowlands (Finance Member): No. We have agreed that Saturday should be a holiday and we need not determine today as to when the Bretton-Woods discussion is to take place.

THE RAILWAY BUDGET—LIST OF DEMANDS

SECOND STAGE

DEMAND NO. I—RAILWAY BOARD

The Honourable Sir Edward Benthall (Member for Railways and War Transport): I propose to move Demand No. 1. Sir, I move:

"That a sum not exceeding Rs. 33,74,000 be granted to the Governor-General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Railway Board'."

Mr. President: Motion moved:

"That a sum not exceeding Rs. 33,74,000 be granted to the Governor-General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Railway Board'."

Before the cut motion is formally moved, I should like to know as to whether Honourable Members would not like to have a time-limit for each cut motion. There are, I understand, six cut motions and two days are allotted according to the agreement of parties. Is it the desire of the House not to have any time-limit at all about any particular cut motion? I am not referring to the time-limit for speeches; that is a different matter.

Shri Satya Narayan Sinha (Darbhanga *cum* Saran: Non-Muhammadan): We have got six cut motions. We will manage to have these cut motions go through.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): It has been the practice in this House that when the time is given to a particular party and they move their cut motions, then they arrange for themselves as to when to ask for closure. They should be allowed a free hand to ask for the closure whenever they like.

Mr. President: The point is when once a cut motion is moved the whole House is in possession of it. Therefore I wanted to know as to what procedure was to be followed. Otherwise the position may be that only one cut motion will be discussed. But if parties are willing to arrange it themselves, then it is all right.

Shri Satya Narayan Sinha: We shall see that the cut motions which are allotted to our party are gone through.

Mr. President: I am not anxious that they should be all gone through. I merely raised the point.

The House will now discuss the Demands for Grants in respect of Railways.

I understand that the time-table agreed to by all the Parties and Unattached Members in regard to the moving of Cut Motions has been circulated to Honourable Members.

As regards time limit for speeches, the usual practice has been to fix a limit of 15 minutes for all speakers including movers of the cut motions and 20 minutes for the Government Member replying. I trust this suits Honourable Members. The Congress Party will now move their cut motions.

Mr. Leslie Gwilt (Bombay: European): Sir, before Mr. Neogy moves his cut motion, as questions were dispensed with this morning, may I know whether this convention is going to be followed for the remainder of the days during which the cut motions will be taken up?

Mr. President: Technically speaking, it cannot be decided today for the remaining three days. I am using the word "technically speaking" because,

unless all Honourable Members who have put questions are agreeable, we do not drop the question hour. But this morning, that point was considered and it was decided to drop the question hour for all the four days, and the House seemed to be agreeable for all the four days. For all practical purposes, it may be taken that all Honourable Members will agree; and on each day I do not propose to put that question again unless some Member raises any objection.

Enquiry into present system of management of Railways.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, in the tense atmosphere that prevails in the House, I venture to ask for its indulgence for a few minutes in order to enable me to place before it the cut Motion that stands in my name. Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

I have sought to indicate the points that I propose to raise in moving this cut motion and they are as follows:

"Enquiry into the present system of management of Railways in its principal aspects, such as Control of the Legislature, Indianisation of the Railway Board and Railway Services, Railway Finances, Relations between the Railways and their customers, Railway policy regarding development of the country, including Rates policy, and development of Railway industries."

Sir, it is not possible for me to do justice to all the various points that I have indicated, in the few minutes at my disposal. State management was decided upon at the instance of this legislature about 20 years ago, not without some amount of opposition from the government of the day. Those of us who proposed the adoption of State management and state ownership of railways as a national policy, had before their minds eye, the vision of a vast co-operative organisation, exclusively owned, controlled and manned by the children of the soil and run exclusively for the benefit of the people. Let me make the confession that we have failed to realise this dream. Now that we are assured that a popular Government is just round the corner, I call upon the Government to render accounts of British stewardship of our railways. It is with that view that I have ventured to occupy the attention of the House this morning. Sir, the first point that naturally arises is as regards control exercised by this House as representing the interests of the people for the running of the railway system. We have been allotted four days, and we are expected to vote about 200 crores in the course of about 16 or 18 hours, and this amount is spread over nearly twenty different demands. It is impossible therefore to claim that the legislature is doing justice to its responsibilities in this matter. It is true that the Standing Finance Committee has considered the various items; but judging from my own personal experience in the past, it cannot be said that the Standing Finance Committee that goes into details of railway expenditure can possibly do justice to the responsibilities of its task. Sir, the present system is mainly based upon certain recommendations made by what is known as the Acworth Committee which reported in 1920-21. While the Acworth Committee stated that it would be for the Legislative Assembly to issue orders to the Railway Department—I think the words used are: give orders to the railway executive—they also provided for detailed and effective influence being exercised over railway policy and railway management through different Advisory Councils. One such, the principal one, namely, the Central Advisory Council, which has been constituted under a convention of this House, differs materially from the composition as also the functions that were contemplated by the Acworth Committee. I have no time to develop this point any further, but I do maintain that the usefullness of this body has been materially affected by the departure so made. Likewise, the composition and powers contemplated for the Local Advisory Committees are nothing like what they were contemplated by the Acworth Committee. The Acworth Committee on the analogy of such bodies in Prussia and Poland said that they would be serving as a vital link between the people and the Railway administration, and would bring to bear upon the Railway administration the view point of the public in regard to all important matters of railway administration. Referring to the bodies on the Continent, they said they had no powers,

[Mr. K. C. Neogy]

but really they had great power. I should like to know from those Honourable Members who are on the Central Advisory Council, who may have sat on that body for more than a year or so, as to whether they answer that description. Sir, intimately connected with the question of the control of the legislature is the question of Indianisation of control. Honourable Members are aware that this is covered by the financial convention, the convention under which railway finances were separated from general finances, and this is the clause relating to this matter:

"This Assembly further recommends that the railway services should be rapidly Indianised and further that Indians should be appointed as Members of the Railway Board as early as possible."

I should like the House to note that the word 'members' is used in the plural. This was laid down on 20th September 1924, more than 20 years ago, not because the children of the soil has a natural right to man these high offices, but also because, those who had anything to do with the shaping of this Resolution (and I claim a very humble share in that) those of us who had any hand in this matter, felt that the success of State management of Railways was dependent upon the spirit in which the controlling authorities went about their business. It is an irony of fate that we had to entrust State management to those who did not believe in it. They had no community of interests with us. There is thus a vital link between Indianisation of the Railway Board and the higher services, and the separation of railway finances from general finance on which is based the entire system under which the State management is being worked.

Sir, I understand the Honourable Member in charge said in the other House yesterday that the question of seniority has got to be considered. When were questions of seniority considered in the past? I remember that about six Indian officers have occupied the position of Members of Railway Board in the past, only one of whom actually served the full term, the others being more or less stop gaps. I remember that in most of these cases, the question of seniority did not arise. But I understand that is the plea on which the all-white character of the present Railway Board is sought to be justified. Sir, I am told by my Honourable friends from Behar that the present General Manager of the Bengal Nagpur Railway owes his present position to the policy of supersession, supersession over Indians. I understand that he was considered specially fit for this appointment because of the exploits in which he indulged after the August disturbances of 1942 in shooting down Indians indiscriminately. That is the technical qualification which I understand this Officer specially possessed. . . . .

The Honourable Sir Edward Benthall: That is quite inaccurate.

Mr. K. C. Neogy: . . . . . to justify the supersession of Indian officers Sir, this is the spirit in which Indianisation has been proceeding. "Where there is a will, there is a way", is a saying that applies not merely to the people but also to Viceroys and Governments.

Sir, I have to run through the various other points that arise. The utility of the railway services would primarily consist in the contribution that they might make towards the development of the country; and when the railway system is completely State-owned and State-managed that responsibility is very much increased. We have heard about the necessity of revising the financial Convention. Before any revision of the Convention has to take place, we have first of all to determine what is to be the policy of the railways in India in future. And in this connection might I draw attention to the declaration of policy of the South African Railways, which lays great stress upon the development of the country, special mention being made of agriculture? It is on the basis of the policy which is to govern the Indian railway administration that the details of the future financial settlement have to be worked out. Sir, it is a well-known fact that, far from helping in the development of the country, the railways by the adoption of an anti-Indian rates policy favoured in the past the exportation of raw materials from India and the importation of manufactured goods from abroad. My Honourable friend in his statement said that the rate structure was

under careful examination. It is not the structure that should determine the policy. What I say is that the railways must adopt a national rates policy, and it is on that policy that the structure should be based. In that connection, I must give expression to my regret that the Railway Rates Tribunal as contemplated by the Acworth Committee has been truncated in such a fashion as to lose all its utility. Now that the railways are State-owned and State-managed, the question of converting the so-called Rates Advisory Committee into a full-fledged tribunal should be taken up without any further delay.

Sir, I shall briefly refer to the question of railway industries before I conclude.

Mr. President: The Honourable Member has only two minutes more.

Mr. K. C. Neogy: I will try to finish within two minutes. The very first Legislative Assembly in 1921 stressed the necessity of making the railways self-sufficient in the matter of all the essential articles that they required, including railway engines; and it is an irony of fate that after a quarter of a century we have to depend upon foreign countries for the supply of these essentials,—foreign countries including Australia which developed her heavy industries during the last five war years. And what is the position about the locomotive industry? My Honourable friend the Member in charge in his speech last year had assured the House that the lay-out and equipment for the manufacture of locomotives at Kanchrapara were being finalised, and so on. Now, just after one year had elapsed, the Chief Commissioner of Railways, speaking on the railway budget in the other House, said very much the same thing.

"Progress is being made with finalising the plans and estimates of the new locomotive building workshop in Kanchrapara."

But something more mysterious I have yet to place before the House, and that is this. This is what I find in the report of the Standing Finance Committee for Railways of this year, page 65, in which in a memorandum it is stated that finalising of plans cannot proceed. Here is a situation where the progress cannot proceed,—very typical of the Railway Department's activities in many ways. Sir, let the Honourable Member remember that the *bona-fide* of the railway administration are in question, and let him also remember that if really there is going to be a change-over of Government, and if Government are going to hand over this great national asset to popular representatives, they are entitled to ask for a review of the past administration; and it is with that object that I move this cut motion, and my suggestion is that a committee of this House should be appointed to go into all these various aspects of railway administration under State-management with the help of experts, if necessary, and then let us have a complete picture of how things have fared under British management.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sir Mohammad Yamin Khan: Sir, I support this motion and I agree with the Honourable Mover on at least two points. One is that a committee should be appointed at once to go into the whole question of railway administration and railway finance. As I hinted the other day in course of the general discussion, the picture looks very gloomy to me and a warning should be given to the House and to the railway administration before it is too late. I think the matter requires serious attention and that attention could be given not by the Standing Finance Committee but by an *ad-hoc* committee with the help of experts, if necessary, as suggested by my Honourable friend Mr. Neogy, to go into the question of future policy and future annual expenditure. Unfortunately, as the House knows very well, the Standing Finance Committee have not got any power at all to initiate anything. They only deal with matters which are placed before them and can make no suggestions about new matters to be taken up. Their power relates only to things brought up before them, and to those new items of expenditure which are placed before them. The other items of expenditure which have been sanctioned in previous years are taken for granted and only new additional expenditure can be scrutinised by the Committee. In past

years our expenditure has been going very high and we do not know whether it is necessary at present to have that expenditure or not. The Standing Finance Committee cannot say anything about this and so a committee of this House assisted by experts should go into this whole question. I think, Sir, before it is too late a policy should be devised by which we could make our railways quite independent of the foreign countries and build our own engines, locomotives, rolling stock and everything else, instead of importing them from outside. This was emphasised by me in a railway debate about ten years ago, and at that time, the Railway Member Sir Muhammad Zafarullah Khan pooh-poohed the idea. But he did not know that this necessity will arise soon. At that time he thought that my suggestion for building engines and so on in this country was too much of an exaggerated idea. I warned him at that time that if the war broke out, the Indian Railways would not be able to meet their requirements from abroad, but he thought that I was talking about something which was not likely to happen. But it did happen within two or three years, and we found that our existing stock of engines became too old and either we could not get fresh stocks from abroad or we had to pay an exorbitant price for it. Naturally the prices on account of war conditions went up as they did in this country. But it was not so much the question of price as it was of availability; we could not get the rolling stock when we required it. We had to export a lot of our rolling stock and engines for war needs, and we could not replace them. If at that time we had our own factories where we could build engines and rolling stock, we would have been independent altogether. Not only that, but we could have supplied to other countries; India would have become a market for these things instead of Europe and America being the markets. Sir, if we require engines to a limited degree, there are many other countries which are building new railways—countries like Burma, Indo-China, probably China, Persia, and others—and they will require so many locomotives every year which we can supply at competitive prices. At the same time we can employ a large number of labourers. Skilled labour will be available in this country and at a much cheaper rate than it is available in Europe or in America. Therefore, I say that this policy of making the Indian railways independent of European countries and America in respect of engines and rolling stock, must be supported by everyone.

Sir, I agree with my Honourable friend, Mr. Neogy, that the Advisory Committees are not allowed that hand which was contemplated by my Honourable friend in 1924. The Provincial Advisory Committees, with the exception of one or two, have been practically monopolized by trade interest, and they had no idea of what facilities should be provided for the travelling public, but mostly they were concerned with the particular trade in which they were interested, and they have been always advocating the cause of or getting the maximum benefits for the trade in which they were interested. So far as the development of Railways was concerned, neither were they consulted nor were they keen to give any advice. For the last few years, the Central Advisory Committee has started sending its representative to the Local Advisory Committees, and since then the atmosphere has changed. I had the honour to sit in many Provincial Advisory Committees, and wherever I went I found that they were sticking to the old ideas. I had to change their procedure and methods and tried to bring them into line with the Central Advisory Committee and the Railway Board. Even now there is a great deal of scope for improvement in this direction. The Central Advisory Committee deals, as the Honourable Member knows, with very limited questions, and they cannot use their initiative. I think Members of the Central Advisory Committee should be given the power to bring forward any points and to make any suggestions that they wish to.

The Standing Finance Committee should also have more powers, and their powers should not be limited to deal with the items which are new but it should extend to the budget as a whole. Although it is said that the Committee passes the budget, but may I tell you when they receive it? Only a night before it is presented to the House. It is impossible to go through all those books and

'literature' within a few hours. And the whole thing is so complicated that I will bow before them if even members of the Railway Board can tell me what is contained in the Budget; they will not be able to explain where the item is to be found. They have to refer to many other books, which will not take days but weeks to go through before one can understand the idea of the Railway Budget. As you know, Sir, the budget includes many items, and how can the Standing Finance Committee deal with them all in a day or in two hours time; this is practically impossible. Then, Sir, it is taken for granted that because the Standing Finance Committee ten years ago agreed to a certain item, that it must find its place in the Budget this year also. My Honourable friend, Mr. Neogy, was very ably advocating that we should not under the changing circumstances, let the time pass, but we should take cognizance of all the factors in order to develop our Railways in the best manner possible. I think the Railway Board has been failing in their duty in this respect, and they have not been taking the Indians into their confidence.

Sir, I do not want to take any further time of the House. With these few observations which I have made, I fully agree with my Honourable friend, and I give him my support.

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): Sir, I rise to support the cut motion so ably moved by my worthy colleague, Mr. Neogy. Sir, it is an irony of fate that when all the world is resounding with the words, sounds, echos, and re-echos, of freedom and independence, we Indians, in this country, are talking of Indianization, this reform, and that reform in this department or in that department of the Government, because these departments, especially the Railway Board, are almost monopolized by the Britishers.

Sir, this Railway Board came into existence in 1903. In 1901, one Mr. Thomas Robertson was asked by the Secretary of State for India to enquire into and report on the administration and working of Indian railways and also to suggest ways and means for their better management. He made extensive tours in the country and studied the question very minutely. In this connection he visited also Canada and the United States of America to study the railways here and as the result of all these investigations, he submitted a report to the British Parliament in 1903. In that he suggested that a Board consisting of three Members ought to be established with full power to administer the railways of the country, subject, of course, to the control of the Governor General in Council. Sir, he said that to begin with, the Board should consist of men of some training. He had given his reasons, right or wrong—but to my mind wrong for this his suggestion. But he admitted that there was no want of Indians qualified for membership of this Board. Now forty-three years have passed. Several changes have come over the country. Even the number of the Members of the Railway Board have increased from three to five. But up till now no Indian has got any access to this Board.

The Honourable Sir Edward Benthall: Question.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): At present there is none.

Babu Ram Narayan Singh: The obstinacy with which the Britishers stick to the Railway Department reminds me of an incident which I witnessed in my boyhood. One day, along with other companions I went to a river side to catch fish. As soon as we entered the water and began fishing, one of my companions jumped out of the water crying, "Leech, leech". After he was out of the water, it was discovered that a leech had caught hold of one of his feet. It was difficult to get rid of this leech. In any way with difficulty it was removed from the foot but when the fellow began to throw it out, it was found that the leech had already got a hold on his right hand. When the right hand was freed, he found that the left hand was also caught. This process of riddance continued for some time. Then other people came to his help, the leech was thrown away.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): What about the fish?

Babu Ram Narayan Singh: Every one was confused with the trouble over the leech. In the same way, let every Member in this House and all our countrymen outside it know that it is not a very easy task to get rid of the Britishers. We may get self-government, all the places on the Treasury Benches may be occupied by Indian representatives, but like the leech they will stick to other departments and it will be difficult for us to get rid of these people from there.

The Honourable Sir Edward Benthall: Put salt on their tails!

Mr. President: Order, order. The Honourable Member is perhaps now going to another point. It is time for the House to adjourn. The Honourable Member may continue his speech after lunch.

The Assembly then adjourned for Lunch till Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at Quarter Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Babu Ram Narayan Singh: Sir, before the House dispersed for Lunch I was referring to the obstinacy with which the Britishers are sticking to the Railway Board. This Railway Board is the watchdog to take care of British commercial interests in this country. The underlying policy in constructing the railways in this country was already framed and this Railway Board was meant only to follow the policy strictly. The first policy, so far as I understand and think, in constructing the Indian railways was to connect all parts of the country by a network of railways, so that British troops may be easily and speedily moved from one part of the country to another and the people may be kept in perfect and permanent subjection. At that time there was anxiety in British circles as to the outlets for the investment of British capital. The construction of railways was regarded as a profitable outlet for the investment of British capital. These railways were also meant to carry British goods into the interior of the country. Sir, had the Railway Board meant to serve the country, they might have manufactured engines, wagons and all other railway materials long ago in this country. But this is not the case. Even now, after so many years of British rule, the position is that all materials necessary for the railways have to be purchased from their British cousins at home. If you analyse the situation critically, you will find that railways are administered and worked simply to help the British interests and in no way to help the interests of India. In the construction of railways they do not care for the local interests of the people. Every where imperial purposes prevail. In order to make this clear I may give the example of Chota Nagpur, a part of the province of Bihar. There is no direct railway to connect Chota Nagpur with other parts of Bihar. There are railway lines which pass through Chota Nagpur but they are all meant for imperial purposes. Even matters of ordinary local interest, are not attended to. In North Bihar, Sitamarhi is an important sub-divisional town. There up and down trains come in the afternoon and are of very little use to the litigants and the general public. For the good of the public some trains at least might be allowed to run in the morning.

Besides, the B. N. W. R., now called the O. T. Railway has for the last six years been managed by the Railway Board but all the corruptions, mismanagements and other disadvantages which were prevailing in the days of the company are still prevailing there. This is the railway of which it can be very well said and it has been said many times, that in the trains there is no water, no light and no latrines. So far as the workers on the O. T. Railway are concerned, every thing which prevailed in the time of the company is continuing. All the stations are rotten and even the station masters who were notorious for corruption and other things are there. Even though this railway has been taken under the direct management of the Government there has been no improvement.

There are many other things which can be said as regards this Railway Department. In short, I can say, as I have already said, that this Railway Board must go. The administrative heads as well as all other posts must be manned by men of the country, who have been born and brought up in the country and who are permanently interested in the welfare of the country. But these people who man the Railway Board now, and are administering the Railway Department are all foreigners and as I have said, they are the watch-dogs of British interests. These are the matters which ought to be considered by the House and so far as I understand, no Indian member of this House will vote against the cut motion and I think even the Honourable the Railway Member also, who has taken the salt of this country so long, will support the cut-motion and will not challenge it. With these words, Sir, I resume my seat.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, the scope of the motion is wide enough but I do not propose to traverse on all aspects of the question that can be brought under this motion. The mover has very ably expressed the anxiety of the Indian representatives to see that the Railway Board and the whole railway is Indianised, which will mean that it will be then only that we can really call it a national asset of this country. We had this idea in our mind when we thought of nationalising the railways and as the Mover has pointed out, we feel disappointed up till now in this part. But on this subject I want to say something more. It is true that as Indians we have that grievance, but as a Muslim representative my grievance is probably more than the others. Unfortunately even as regards that much share in the Railway Board or in the higher services which has gone to the Indians the position of the Muslims remains most miserable. You will notice from the figures supplied by the Railway Member that the percentage of the gazetted service Muslims is not more than 5 per cent., although promises were made that we would get at least 25 per cent. share in Railway Services.

Mr. President: Order, order. I would point out to the Honourable Member that that discussion will be more appropriate under cut motion No. 9: the specific issue to be discussed there, is the non-observance of giving employment to Muslims in different categories and classes of Railway services according to the quota fixed for them. He will then have an opportunity of specifically referring to these points in detail.

Mr. Muhammad Nauman: Yes, Sir. I only wanted to refer to this particularly as the Mover suggested that Railways should be nationalised. By nationalisation I mean that it should be nationalised on lines where the interests of the Muslims would be 33-1/3 per cent. It has been noticed that Hindu officers are more prejudiced against Muslim interests than the Britishers; and sometimes, although it may be with all possible repugnance and reluctance, we have to prefer a British officer in the Railway Board and elsewhere to a Hindu officer as we fear we would not get the right and just treatment from Hindu national. I am just referring to this position and say nothing more.

I would now discuss the question of priority movements which the Honourable Member said was still being continued. In this connection I want to stress the fact that no facilities were provided for the movement of raw cow-hides and goat skins, and in this particular matter I think the Railway Board has failed miserably. They placed this particular commodity in class 6, which meant that the movement was much restricted and that the Muslim nationals lost heavily on this trade all along.

The Honourable Sir Edward Benthall: I do not wish to interrupt but that is the action of the War Transport Department, not of the Railway Department.

Mr. Muhammad Nauman: Yes, but now the War Transport Department has not got any control and the railway priorities arrangement is being continued under the railway scheme of better movements; and I would ask the

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Honourable Member to see what has been the position of movements of other classes of priorities in this country. I am told by the railway priority authorities that hides and skins have been placed in class 4. This is not a very satisfactory situation because the Honourable Member should realise that this is one of those commodities which are perishable, I explained to him and to the railway authorities that in last November many thousands of hides were allowed to rot and perish because no facilities were offered for bringing them to the markets to which they used to go, I mean to Calcutta particularly. Our association, the Hides and Skins Association of Calcutta is of 100 years' standing and they pointed this out to the different controllers of railway priorities there and sent the correspondence to the Honourable Member here but the situation did not improve to any great extent. I want to impress this upon the Honourable Member, that this priority system is maintained for facility of movements, and he should see his way to give higher priority to commodities which are perishable, and hides is one of those commodities. I hope the Honourable Member will appreciate my point. He should also note that sometimes the booking staff, in spite of orders, do not act upon them, particularly for this commodity as he knows Hindus are trying to ruin their trade. I would like to tell certain sections of the House that a certain class of Hindus do not like to offer facilities for the merchants who are engaged in the hide trade. This matter has to be carefully looked into.

The third point I want to make is the one to which my friend referred, about these advisory committees. Not on one occasion, but on many occasions the opinion of this House has been flouted. In the matter of catering this House passed a resolution that immediate action should be taken and that no contractor should be allowed to have more than two divisions. This was as early as 1939. The matter was taken to the C. A. C. and at that time the C. A. C. gave the same advice; but it could not be acted upon and then we were in the thick of the war and in the situation it was considered necessary not to disturb things till the war ended. Now I want to impress this much, that this House gave a verdict a number of times that the catering arrangement is hopelessly bad on all railways in the country. We want that it should be taken up by the department and worked departmentally, without caring whether they lose any money over it or gain any money out of it, because this being a utility service it should provide a sufficient amount of comfort on the lines when people travel. The system of giving the contract to the highest bidder is another mischievous system which eventually increases the rate and reflects on the passengers liabilities. Recently they have been trying to stop contracts which have been in existence for 60 years or more and giving satisfactory service, whereas they have brought in new unprofessional contractors for certain classes of commodities; and when that has been censured in this House they would not act upon it and the only reply is that this is within the discretion of the general manager. The Honourable Mover made it perfectly clear when he said "we are anxious what influence or what hold the legislature has on the management of railways, and under management lie all those things to which I am referring. I do not want to indulge in individual names or give individual instances. I only want to impress that this position has long been existing and the Honourable Members in charge of this portfolio have not taken note of the feeling of the House and they adopted ways and means to put us off to a day when probably things might come to their own way of thinking. I strongly resent this thing and in future I would request the member in charge to consider the possibility of accepting the views of this House as much as practicable—not only as much as is possible, but as much as is practicable; and as the Honourable Mr. Neogy said, where there is a will there is a way; everything is practicable and probably what we suggest is always practicable, provided the Honourable Member makes up his mind to do so. I do not want to indulge in other matters now, with regard to the other amenities to passengers, because I will have occasion to discuss it on other cut motions. I certainly do appreciate the point of view given out

by the Mover and supported by my friend, Sir Muhammad Yamin Khan that there should be a committee of enquiry who should go into the whole matter *de novo*, once again, and see what suggestions they can make in matters about which this motion has been brought before this House. With these few words I support the motion.

Mr. M. A. F. Hirtzel (Bengal: European): Mr. President, Sir, we on this side of the House are, I am afraid, finding this debate a little disappointing and it would not surprise me if the Honourable the Railway Member also perhaps complained that he was not receiving as much assistance from the House on this particular issue as he might expect. If I remember correctly, in reply to the general discussion the Honourable the Railway Member threw out a challenge to the House and said that since there was no criticism of the financial position of the railways, he must assume that we members found great difficulty in picking holes in it. We on this side of the House have no desire to pick holes, but we have some constructive remarks to offer. When we saw a motion standing in the Honourable Mr. Neogy's name, we had hoped for a constructive contribution from his side also. If he will excuse me, I must say that he made a less impressive speech than usual. His motion is framed in very broad terms and that is my principal criticism of it. The terms are in fact much too broad, particularly having regard to the time which is normally occupied in inquiries in this country. I think perhaps the Honourable Member would agree that an inquiry of the kind he suggests would require a portentous amount of time; and that, we suggest, is not what is really required at the present time. Such an inquiry perhaps may one day be put in progress in relation to yet larger topics; but at the present time we feel that there is no ground for complaining that India's national aspirations have not been sufficiently protected by the Railway Board. I think I am correct in saying that over Rs. 300 crores of railway indebtedness have been brought back to this country. In addition India's Railways have accumulated reserves of something like Rs. 131 crores. That is without taking into account the very large contributions which have been made to the general revenues. That is a picture on which all concerned deserve congratulation rather than condemnation. It is perfectly true that one might suggest measures by which the total might have been increased by a crore here or half a crore there. I am prepared to suggest one or two points myself but taking the picture as a whole I think there can be no doubt that all concerned must be congratulated.

What we are concerned about is the immediate future. There is certainly great cause for concern and we certainly are not disposed to view the future with complacency or to accept that the position as it has been so far will continue unchanged. Honourable Members for instance will have seen in the Explanatory Memorandum the enormous increase there has been under the head of staff wages. Points of that sort certainly do justify Honourable Members in saying that there should be a review of the position but I submit on behalf of this party that it should be a review not of such long term and so broad in its scope that it will never be completed. What we really need to be satisfied is that the Railway Board are directing their immediate attention in a very practical way to the immediate problems. I hope, Sir, that they are directing their attention in a more practical way than what the Honourable members of this House are perhaps doing. If one looks through the list of cut motions, there is plenty to be seen about the amenities demanded but very little indeed about who is to pay for them. Now, Sir, I am not suggesting that the Railways should be operated on a purely commercial basis. That is a matter for decision by this House as to what the policy should be. But I am suggesting that in order to arrive at a correct picture we need a strictly commercial *picture*. We need to be told in plain unvarnished terms and in a balanced manner exactly what our financial position is today. The Honourable the Railway Member would doubtless explain that he has in fact done that. Perhaps as these debates go on, there will be an opportunity of elaborating our views and saying a little more precisely what we mean. If the Honourable

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Mover of this cut motion had suggested an immediate practical inquiry, conducted by the personnel of the Railway Board, into what the immediate future holds out, I think we might have supported him but I do not think we can support at this stage the formation of a committee with this enormous scope. Sir, I oppose the motion.

Mr. A. C. Turner (Government of India: Nominated Official): I shall confine my remarks to the question of the control of the legislature. First of all there is the Standing Finance Committee for Railways. I may say that this committee was appointed under the Resolution regarding the separation of railway from general finances and that Resolution of course was a Resolution of this House and the Resolution itself laid down the duties of that committee. They read as follows:

"The Railway Department shall place the estimate of railway expenditure before the Standing Finance Committee for Railways on some date prior to the date for the discussion of the demand for grants for railways and shall, as far as possible, instead of the expenditure programme revenue show the expenditure under a depreciation fund created as per the new rules for charge to capital and revenue."

That was a fairly restricted scope; but I may say that in subsequent years the Chairmen of that committee have extended the scope very considerably and now we place before the committee all proposals for the construction of new lines, all proposals of purchase of railway lines, of projects of open line works the expenditure on which exceeds 20 lakhs, the works, rolling stock and machinery programmes for the railways and all proposals for the creation of permanent gazetted posts on railways. In addition it has been the general rule for the Chairman to keep the Committee in touch informally with all major problems of railway finances as they occur from time to time. I would here like to correct a wrong impression which may have been created this morning by the Deputy President of the House when he said that old expenditure is not put before the Committee, and it is only items of new expenditure that are put before the Committee. That Sir, I may say, is quite incorrect. The whole budget is put before it and discussion on the budget grants is by no means limited to items of new expenditure.

Now, I heard it voiced that as this Committee has to go into all the manifold items of the Budget and consider them in detail, they are not given enough time to discuss these matters. In 1943-44 the Standing Finance Committee met fourteen times during the year, and in the year 1944-45 they met eight times. If members of that Committee feel that they are not getting sufficient time for discussing these matters I should be perfectly willing to have additional meetings at any time they wish to have them and allow the meetings to go on for any length of time they want. I have no desire to restrict the amount of discussion which the Standing Finance Committee can indulge in.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Do they indulge in discussions or do they carry on discussions?

Mr. A. C. Turner: Whichever term is preferred. Some people indulge in discussion and others carry on discussion. So much for the Standing Finance Committee. This House exercises further control through its Public Accounts Committee. As Members are aware, the Public Accounts Committee scrutinises the Appropriation accounts every year and reports to the House to what extent money voted by the Assembly has been spent within the scope of the grant. Finally, a very important and powerful way in which this House can control expenditure on railways is the voting of Demands for Grants. That, I think every one will agree, is a very potent manner of control. It was suggested by my Honourable friend, Mr. Neogy, that insufficient time is being allowed for the general discussion and for the voting of Demands for Grants. Well, Sir, we are now having as much time for this purpose as we have ever had, namely, one day for the general discussion and four days for the Demands for Grants. I have no doubt that if this House feels that it wants more time then the future Government will consider the matter and may be willing to increase

the period allowed in future years. That is all I have to say on this subject

Sri T. A. Ramalingam Chettiar (Madras: Indian Commerce): Mr. President, Sir, I have been looking forward to a statement from the Honourable Member in charge as regards the policy he is going to adopt in the general scheme of planning and development about which we have been hearing so much, both in the press and on the platform. Well, Sir, there is not a word said about any change of policy that they are going to adopt. The old policy with which they started, namely to have lines connecting the ports for helping imports and exports and having strategic railways, when the East India Company ceased to exist and the Imperial Government came into existence, is continuing. These are the two classes of cases for which the railways have been built and worked. The development of the country as a whole found no place in their programme except where they expected very large profits probably as in the case of the Gangetic Plains. In other places the country's vast areas have been utterly neglected. For instance, the southern portions of the country, the Madras Province and some portions of Bombay, have no sort of railway connection whatever. Until recently there was only one line passing from Madras right up to Mangalore. There were no connecting links on either side, a distance of three to four hundred miles comprised in the Province. That was the sort of thing that was going on. Well, Sir, we protested We did our best. We made representations to the Government of India. They would not move. Then we undertook a novel procedure. We said that we would tax ourselves by a cess on the land and would construct railways with the cess or by getting money on the security of the cess. That was half-heartedly sanctioned by the Government of India in 1912-13. That was thirty years back. Even then there was this complaint that the Government of India never cared for places in the interior and they never cared to develop areas which required development. From 1913 onwards we taxed ourselves in the Madras Province. We constructed certain railways. Altogether there were about three hundred miles constructed by the District Boards. But there comes the order from the Government of India "Stop all this construction. We do not want any more." We in the district of Coimbatore first started with a line from Podanur to Pollachi. We wanted to take up the other line to which reference was made by the Honourable Member for the Plantation Districts of the European Community the other day, namely, the Mysore-Satyamangalam railway. Everything was ready. The objection came from the M. & S. M. Railway. Because the S. I. Railway was going to start it they objected on the score of short circuiting. For the last 25 to 30 years that scheme, which was adumbrated about the year 1920 or 1921, has been waiting sanction and being taken up. I tried to do something for this. I asked the Dewan of the Mysore State whether he would come to our help and construct the line up to the foot of the hill so that we could take the line from that point to Tiruppur which was expected to become a junction in those days. The Dewan said that there were legal difficulties. He could not take it up. So, the whole thing has been held up. What is the position now? I want to know whether the Government have been considering this and whether they are going to take up questions of development. They are talking so big about developments. They want land development. They want agricultural improvement. They want industrial improvement. They want electricity to be generated everywhere. How can all this be done and how can all this be utilised if we have not got the means by which they can be reached? In the Tennessey Valley scheme which has been quoted times without number by the Government of India in their communications, I find that one of the first proposals is to run a railway right through. That is the way other countries consider as the means for development of their countries. But here in India we find an utterly different tale. We have got every railway going to a port, taking exports and bringing imports to market places. The other areas are left in the lurch. That has been the position. We hoped, Sir, when the Railway Board came into existence that they would

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pay more attention to the requirements of the country. But nothing of the sort happened. They have been thinking more of the old theory of the returns. They said about 5 per cent. ought to be the return on the capital that is spent on each railway from the very start. They forgot for a moment that the railway is an agency for development and that if the country was developed they will get a better income as time goes on.

There were also indirect benefits about which they never bothered themselves. Probably that could be justified at a time when these railways were owned by private companies. Now that the Government of India has taken over most of the big lines, it is up to the Government of India to consider not only this question arithmetically but also the real interests of the country and see how they can develop the country as a whole, how they can help industry and agriculture about which they are talking so much and how people can really be helped. That is what they will have to consider. My complaint is that they have not done so. As I said, I expected two days back an announcement from the Government Benches that they have changed their policy, that they were following the lead of countries like U.S.A. and that they were going to have railway communications wherever they think that development was possible or wherever they think they were going to develop the country themselves. Such a policy has not been announced here and I censure the Government for not considering this very important question which is much more important than several other questions which have been raised both in the Honourable Member's speech the other day and elsewhere.

The other question is that the administration is run on very costly lines. If there was a Government which was responsible to the people, then such a costly administration would not have been possible. They will always be examining whether there is room for economy in any field. For instance, the question of making locomotives, wagons and other things has been referred to by the speakers already. There is another important question, for instance the question of electrification of railways which will release a large quantity of good coal for other purposes. Mr. Ginwala, who was for some time the Chairman of the Tariff Board has published a brochure in which he has examined the whole question at great length. I do not know whether the Government has considered his proposal and have gone into the suggestions made by him and if so, what conclusions they have arrived at. He says, "we are now using high grade coal for locomotives which is unnecessary. Even as it is inferior coal will be enough". He goes further and says, if the trains are electrified and the coal is used for a thermal unit for generating electricity, there will be very much larger saving and we can use very much inferior coal, and the coal that is being wasted in several places,—and he mentions a number of places where they are being wasted at the present moment—they can be utilised for the purpose of generating electricity and for the traction of the railways. Such questions never enter into the minds of the Railway Board. They thought that whenever anything was required, give an order either to America or England or to Australia. We are getting goods from all over and no attempt is made to manufacture what we can manufacture in the country itself.

There has been the other question about Indianisation of services. That, Sir, is not merely replacing one person by another. It means a lot. The European sits there with an outlook of his own, and as I said, he is looking at everything from an export and import point of view. He thinks which rate will give a greater impetus for export of articles from a long distance to a port and so on. He will argue with some show of plausibility that the agriculturist is thereby helped. But as a matter of fact his idea is not the agriculturist, but he has in mind the exporter at the other end. If Indians are there, this sort of outlook will cease. Besides, the European is always costly. There are these two things. If we want any progress, either on the industrial side or on the traffic side of the railway, then the Indian can be depended upon to take the view that is advantageous to the public rather than that of either the

commercial interests or the profit making motive or looking to the interests of exports and imports. So, Sir, for all these reasons, Indianisation that has been going on is anything but satisfactory. It has been referred to that at the present moment the Railway Board consists of all outsiders and not a single Indian is there on it and many of the higher paid officers are also non-Indians, I believe among General Managers, only one is an Indian and all the other General Managers are Europeans. That is the sort of administration that is going on. Is it the way to help us to govern ourselves, to look after our own interests? What is all this talk of handing over the Government to our hands? What is this talk of putting us in charge of our resources and helping us to go forward? Is that since, I ask? These are matters which should be seriously considered. The proposal has been made for the appointment of an *ad hoc* committee to survey the whole administration of this Railway Department from the time probably the Railway Board was brought into existence. If that is done, probably it would be in a position to say what exactly it has not done. I see very little has been done by way of improve- motion is drafted in very wide terms and the debate in consequence has rather Sir, I do not want to take up more of the time of the House. I support the cut motion of my Honourable friend Mr. Neogy.

SP. M.

The Honourable Sir Edward Benthall: Sir, it is rather difficult in the time at my disposal to deal with all the subjects that have been raised. The cut motion is drafted in very wide terms and the debate in consequence has rather tended to be a general discussion. In replying, I shall adhere as far as possible to the main points raised by the Mover. I would just like to make one or two brief remarks about the points raised by my Honourable friend Mr. Muhammad Nauman who spoke of the Muslim percentages, of priority for perishables and of catering. The last question of catering will, as I have said, come up before the Central Advisory Council. The question of Muslim percentages comes up on a cut motion further on in the course of these debates, and the question of priority of perishables is one which is the primary concern of the War Transport Department. He made the point that the Government did not accept the findings of the House in the shape of recommendations of the Standing Finance Committee and the Central Advisory Council, but that I do not think is really a very fair criticism. I think if an examination is made it will be found that with very rare exceptions, we do accommodate ourselves to the views of these Committees. But the Government is responsible for seeing through the policy and there are occasions when it feels it cannot accept the responsibilities of implementing something which those Committees recommend. But I think it is not very often so.

The last speaker referred to the unfriendly attitude of the present administration to the development of undeveloped areas, in particular he referred to the Mysore-Satyamangalam line. I have not the time to go into the question of particular lines, and that again will I think come up before the House under cut motion No. 6. But I would just like to say in that connection that we have developed what is really a new policy in the last year or two, and that is to develop our railway programmes in close consultation with the provincial administrations,—in much closer consultation than in the past,—partly with the object of co-ordinating our railway development with road development and partly also because we feel that the people in the best position to judge what development of transport the province wants is the provincial administration. We think that they are in a better position to judge than we sitting up in Delhi.

Now Sir, I would just like to say a few words, as I did yesterday in another place, on the subject of Indianisation. The Honourable Mover suggested that we paid too much attention to seniority, arising out of the report of some remarks that I made in another place yesterday. I pointed out then that the position that we find ourselves in today is a historical position. By that I mean that we inherit a position which arose not in the recent past but as long ago as 20 or 30 years. I had taken out the percentage of European and Indian officers back to 1924, and in 1924 I find that out of 1888 officers

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there were then 1510 Europeans,—in other words, 80 per cent. And ten year before that, for the same historical reasons, *viz.*, that the railways in thos days were mainly officered by Europeans, he would probably find that in 191 90 per cent. of the officers were Europeans. Many of those officers are sti on the railways, and naturally the officers of 1914 to 1924 are now at the en of their service and therefore at the top of the tree. And it therefore follow that when we have to look at the claims of different officers and the experienc of the different officers, it is perfectly natural that 4/5th or 9/10th of th officers at the top are in fact Europeans, and we cannot just rule them ou without doing injustice. But I can assure the House that no Indian eve suffers from lack of the fullest consideration.

I must take exception to my Honourable friend Mr. Ram Narayan Singh saying that we Europeans in the Railway Department and the Railway Boar have not got the welfare of the country at heart. The Honourable Membe knows himself that we are only too ready at any time to look into any com plaints; and in fact it was only yesterday that he was expressing his apprecia tion of our having looked into one of them. As regards railways in Bihar there is, as he probably knows now, quite a substantial programme of railway deve lopment which will meet most of his personal wishes. It is also most unfai to suggest that European officers on the railways have their eyes on nothing but exports, as the last speaker suggested. Officers on the railways have thei eyes on their job and try to do it to the best of their ability and render the bes service they can to the railways and the country.

Coming to the Railway Board it is of course a fact that at the presen moment it is entirely European, but it is not quite fair to judge the positio exactly as it is today without looking to the past year. In the recent past we have had, for the first time in the history of the Indian railways, an Indian Member for Engineering, and if he had not voluntarily retired he would pro bably have been in the post still. That same officer held, for the first time in the history of the Indian railways, the post of Chief Commissioner during the course of the year. An Indian officer was acting as Member for Staff and until fairly recently also the Financial Commissioner was an Indian and would still have been an Indian had that officer not elected to choose a post elsewhere in an Indian State. And during my regime also the post of Secretary of the Board has become Indianised. My Honourable friend Mr. Ram Narayan Singh said that Europeans getting these posts stick there like leeches. Well three of the Members of the Board are not leeches; they will be going in the course of the year and Government will be able to make further selections. I venture to suggest that in the years to come when the service which European officers have rendered to the Indian railways is reviewed calmly and in times of passionate political excitement, it will be generally agreed that they have rendered good services to the country. They need have no hesitation, in my opinion, in feeling that they have rendered a good account of their stewardship; and when the time comes for them to go, 95 or 99 per cent. of them can go with a very good conscience that they have done their best for this country.

Then, Sir, a suggestion was made by the Honourable Mover that we adopt an anti-Indian rates policy and do not adopt what he or somebody else called a national rates policy. I must deal with this extremely quickly. I think the origin of this allegation lies in the special rates which were quoted many years ago when industrial conditions were not as well advanced as they are today when only a relatively small part of India's requirements were manufactured in this country. In those days India's trade was characterised by large movements of raw materials to the ports for export because they could not be made up in this country and large imports of finished goods which at that stage could not be made in this country. But, Sir, tariffs have been adjusted to meet the changed conditions of Indian industrialisation, and if there are special rates quoted for the ports it is mainly because the ports are the chief distributing centres of India and because the ports are also the chief manufacturing centres

of India. And if Honourable Members will care to look at the Acworth Committee's report of 1920-21 they will find that they effectively disposed of the charge that the Indian railways had adopted a non-national policy. They said:

"Indian railways had in one respect at least refrained from following accepted railway practice in other countries, which is to concede for export traffic through a sea port rates which are not available to that sea port for local traffic and *vice versa*. Bombay received from up-country large quantities of raw cotton, part of which was worked up on the spot and part exported. Similarly Bombay disposed of to up-country towns large quantities of cotton cloth, part of which was local manufacture and part imported. The raw cotton rates to Bombay port and to Bombay town are the same and so are the manufactured cotton rates upwards. The same principle, we understand, is applied elsewhere in the case, for instance, of the great Calcutta jute trade."

Special rates to the ports are still occasionally quoted, and I would instance the special low rate for the export of manganese to Bombay, Calcutta, Vizagapatam, and for chrome ore from Baluchistan, because if they had not got those special rates they could not compete in the world's markets with manganese from other countries.

As regards the development of industries I think it is generally known that the railways frequently have quoted special rates, appreciably lower than that applicable from the ports, and in particular I can think of the case of sugar and of iron and steel at Tatanagar, the rates given for which materially assisted the early development of the steel industry in India. The Honourable Member dwelt on the development of railway industries and both he and the Deputy President pressed that we should become self-supporting. I entirely agree; there is no difference of opinion there. I want to express my views on the manufacture of locomotives and wagons, but I will not do so now because that question comes up on cut No. 4, when we will have an opportunity of discussing that fully. I will answer his point about finalising plans on that occasion. But, Sir, I would like to point out the very big strides made in getting our stores from this country, a policy which has been accelerated as a result of the war. In the course of the war, we started industries for making wheels, tyres and axles, vacuum brake cylinders and fire-box plates. In addition to that there is a greatly increased activity in such industries as train lighting bulbs, train lighting belting, cotton canvas and rubber hose, cotton and jute hessian substitutes for flax canvas, nails, split pins, rivets, bolts and nuts. Imports of paints have been almost excluded for railway purposes. The railway workshops have been following a rationalized policy to ensure that their output is used to the greatest general benefit of the railways and is co-ordinated to the maximum possible extent, and as a result of it India has become largely self-supporting in bolts and nuts. Other industries which have been started or developed as a result of railway help are electrode manufacture, grinding wheels and abrasive manufacture, manufacture of high tensile stranded wires for railway signalling purposes, the development of tool steels, the reconditioning of non-ferrous metals and the rerolling of bars from arsenical copper scrap.

In other words, it is the policy of the Board to do all they can to develop these industries, and that has been effectively shown by the fact that whereas the total purchase of stores of Indian manufacture or Indian origin just before the war was 9 crores, it was 32½ crores in 1945, which allowing for the price rise probably means about 70 per cent. increase.

Finally, I would like to come down to the main suggestion made by my Honourable friend. He said, and the Deputy President supported the suggestion, that the time had come for a review of state management of railways and for that purpose the suggestion was made that a committee should be set up. First of all, Sir, I should like to say that I hope that whatever committees are set up will have their eyes on the future rather than be spending their time on *post-mortems* other than for the purpose of drawing lessons from the past. I do not think the Administration has very much to fear from *post-mortems* on the whole, but it is obviously more profitable at this critical stage of development that we should have our eyes on the future. In one way I consider that

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it is extremely timely that we should consider this question of overhauling th set up of railways in India. In my Budget speech I said that during the nex year it would be necessary for Government and the House—I daresay throug its committees—to pay attention to such important matters as the revision c the Convention and also to such important matters as the question of rates an fares which again is linked with the question of payments to staff. I conside that committees of the House will have to examine those questions and, pro bably we could deal with many of those points in the way we have dealt wit in the past. If the Standing Finance Committee is not suitable for examinin this question, we can revive the Convention Committee to go into the whol question of the Convention on which in turn depends the constitution and func tions of the Standing Finance Committee and also I think the Central Advisor Council.

We also have other problems in front of us, problems arising out of the ne constitution. I have had occasion, Sir, in the past at a meeting of the India Railway Conference Association to express surprise that India's leaders had nc given more time to such problems as that of the future Federal Railwa Authority. A number of questions arise out of that. In the Government c India Act of 1935 it is set out that the Railways should be run on busines principles and a certain constitution for running the railways is set out. Th House will have to consider whether it wants the Railways to run on busines principles or whether it wants to run on any other principles. When I say th House, it is perhaps more a matter for the Constituent Assembly, but thes questions will have to be thought out. Similarly, when the constitutiona question comes up thought will have to be given to the question of the re grouping of railways which in turn will depend upon the constitutional settle ment. And, Sir, I am inclined to think that some committee is necessary i the near future as a sort of fact-finding committee on all these questions i order to have material ready for the Constituent Assembly. That is purely personal view. I, therefore, accept the principle of a committee, and I thin it is not only desirable but inevitable that there should be such a committee.

Then, Sir, comes the question of what sort of committee it should be. M Honourable friend suggested that it should be a committee of the House wit experts. Again, what sort of experts? You want experts from America, c the United Kingdom, or Switzerland, or do you want Indian railwaymen?

Sir Mohammad Yamin Khan: Indian railwaymen

The Honourable Sir Edward Benthall: It is a point for consideration an it is very difficult to settle these matters across the floor of the House Obviously for these heavy tasks which we envisage for the Committee, th Committee must be a wholetime body and it must clearly be also a very high powered body and it must contain high-powered representatives of commerce industry and agriculture

Prof. N. G. Ranga: It shall not be a whole-time body.

The Honourable Sir Edward Benthall: I suggest that these problems are c such dimensions and seriousness that nobody can do the work in a few od meetings. You do really need a very high-powered body. But let me finish I would also say that from the railway angle the timing of it has to be con sidered. The railway administration at the moment is still recovering from th very severe strain of the war and is facing extremely serious problems c rehabilitation, reconstruction, staff problems, food problems and a thousan and one other things. If you are going to take your Railway Board off thes administrative problems and put it on to planning for the future, it is goin to add to the stress. I do not see how it can be done. That aspect mus be considered. Finally, you come to the question whether a committee c this sort, apart from the Committees of the House should be set up by thi Government or the new Government. The suggestion is that it should b this Government. I think, my time being up, that this would be a suitabl

point to leave the matter. I accept my Honourable friend's suggestion in principle. I would like to consider further and discuss with him and other Honourable Members who are interested, how best to set about it and I express the hope that in view of what I have said, and the serious attention I have undertaken to give to this problem, my Honourable friend will consider withdrawing his cut motion.

Mr. K. C. Neogy: Do I take it that the Honourable Member is prepared to accept my motion in the terms in which I have worded it?

The Honourable Sir Edward Benthall: I am sorry. The substantive part of the motion is that the demand under the Railway Board be reduced by Rs. 100. That is a token of censure. Apart from that, I said the Railway Department would appoint a committee to look into these things but I cannot accept a cut of even Rs. 100 because I cannot accept a cut on the Railway Board.

Shri Satya Narayan Sinha: The question be now put.

Mr. President: I was wondering whether the Honourable Member was thinking of withdrawing. I do not see why a cut is considered necessarily a censure. It is only a method to have an opportunity of discussing a subject. I do not know what the convention of this House is.

Sir Mohammad Yamin Khan: If it is a cut of a rupee, it is a token for discussion. But if it is Rs. 100, then, in this House, it has been considered as a censure.

Mr. President: It is not an economy cut. It depends on the convention of the House Personally, I do not think a cut necessarily means a censure. If there is no motion there is no occasion for a debate. So the cut really means an occasion for debating a certain point.

Dr. Sir Zia Uddin Ahmad: There is a definite motion by Mr. Neogy. He has the right to withdraw or press it to a division.

Mr. President: It is not a question of his right of withdrawal.

The Honourable Sir Edward Benthall: It is up to the Honourable Member either to be responsive and withdraw or press the motion.

Mr. K. C. Neogy: I should like to explain my position. My Honourable friend made it quite clear that the object of the committee should be more to look to the future, and that is the sense in which he is prepared to accept the suggestion of the appointment of a committee. But I made it quite clear that I wanted to find out how the State management system has fared under the existing administration. The two are fundamentally different issues, and therefore I do not think that I should be justified in withdrawing the cut motion.

The Honourable Sir Edward Benthall: Well, our views differ on that. I think anyone who is going to decide on the statutory body of the future would naturally have to look into State management in the past.

Mr. K. C. Neogy: It may be a separate committee or the same committee. That is a different aspect of the matter.

The Honourable Sir Edward Benthall: I have accepted the idea of such a committee in principle. I leaves it to my Honourable friend whether, he wishes to censure me or not.

Mr. K. C. Neogy: If the scope of the committee to which my Honourable friend agrees, is to include the examination of the past management of the railway administration, then only am I prepared to withdraw it.

Dr. Sir Zia Uddin Ahmad: You will spoil the future recommendation if you include the past and hand over both to one committee.

The Honourable Sir Edward Benthall: I have agreed in principle to the Committee but I do not know whether this Government or the new Government should set it up.

Prof. N. G. Ranga: Mainly a matter of no confidence!

The Honourable Sir Edward Benthall: You must look into the operation of the management of the past in order to review the new set-up.

Mr. K. C. Neogy: I think the issue should be considered independently.

Mr. President: The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was adopted.

ATTITUDE OF RAILWAY BOARD ON STAFF MATTERS ESPECIALLY THOSE RELATING TO WAGES, ALLOWANCES, WORKING HOURS, LEAVE ARRANGEMENTS AND SECURITY OF STAFF.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The Honourable Transport Member, while replying to the general debate stated that "if we agreed to the demand made by the All-India Railwaymen's Federation, we should require 57 crores per annum more to meet the scales of pay and another 21 crores to meet the additional dearness allowance which they asked for. Where is it to come from? I do not think that those demands were really serious and certainly if they had been in possession of the figures as they are now, no responsible leader could have put them forward unless he was prepared to demand a substantial increase in rates and fares. If you are going to be generous to the railway staff, then the public have to pay for it either, in the form of increased rates or increased fares." It was a clear attempt on the part of the Railway Member to scare away the House in rejecting the reasonable demands made on behalf of the railway workers. Apparently the cue has been taken up both by some Honourable Members in this House and the mercantile community outside. I regret to say, Sir, that in the press note published by the merchants of Bombay, there is not one word about the demands of labourers employed in the railway administration. The criticism is mainly directed against the administration with a view to secure revision in the rate structure and reduction of rates. Here also one Honourable Member from the European Group also complained that the Wage Bill was considerably huge and therefore ought to be reduced. I am not surprised, Sir, that there has been a sort of joint front between the outside merchants and the party of shopkeepers here and the Government. But I want to show and, if possible, convince the House that the railway employees are not really getting a square deal. It has been stated that the wage bill has considerably increased. Two persons in every thousand employed by the railway are gazetted officers and the percentage of wage bill which the gazetted officers receive is 5 per cent.; 50 per cent. of the total employees are workers in the inferior staff but they get only 26 per cent. of the wage bill. If we take into consideration the lower subordinate service, it is 20 per cent. in strength but gets 36 per cent. from the wage bill. The strength of the upper subordinate service is 0·9, but its share in the wage bill is 8 per cent. The daily-rated labour is 27 per cent. in strength but gets only 21 per cent. of the wage bill. If the bill has increased it is due to the fact that there is a top heavy administration. I do not want to suggest anything about its composition, how many are Europeans, how many are Anglo-Indians but the point remains that except for nine persons in every hundred, the payment made to the rest is not adequate nor consistent with the living wage standard.

It has been suggested by the Honourable Railway Member in his speech that it was not possible to say anything or do anything at this stage, because the prices have not yet stabilised, that there is uncertainty of future price level, that revision of scales of pay is an intricate problem. But all these considerations, it seems, have not occurred to many Provincial Governments, for many of these Provincial Governments have revised the scales of pay of

their respective employees and particularly, of the Police Department. If the Honourable Member had really tried hard to do justice, I am sure he would have found out some way. Nobody can accuse the Government of having ever been generous and few will agree that it has ever been just. But whether it is generosity or justice, the employees must get a living wage. If you say that if you concede all the demands, it means nearly an increase of 70 crores, then the fundamental principle has got to be decided once for all: whether this administration is to be run on commercial lines or as a public utility service. If it is a public utility service, then it is the duty of this Government to see that its employees are well paid and according to the living wage standard.

The Honourable Sir Edward Benthall: I take it that the Honourable Member would accept that even a public utility undertaking, purely as such, would still have to pay its way and that if therefore. . . .

Sjt. N. V. Gadgil: If it is a public utility concern, the men must be paid adequately, whether it is a profitable concern or not. If I want to live, if I want food, I must have it at whatever cost That is the point. My life is not a commercial thing. I want food and I must have it cost what it may.

The Honourable Sir Edward Benthall: Somebody has to pay for that and it will have to be given out of a rise in rates and fares. If you accept a rise in rates and fares, then it is easy.

Sjt. N. V. Gadgil: You will see, Sir, that when the low-paid or inferior staff makes a demand for increase such considerations crop up. As regards gazetted officers, the average pay each gets is more than Rs. 1,000. When these 'new poor' were granted recently 17½ per cent. dearness allowance no such consideration was raised! Now the average wage that the lowest paid man gets is Rs. 26·7. It is only in this country that the variation between the lowest and the highest grades is the greatest in the world. In 1937 I had occasion to refer to this subject in the general discussion on the Budget and I had worked out figures then. The variation between the pay of the lowest paid and that of the highest paid Government employee at that time in the case of South Africa was 1 to 11, United Kingdom 1 to 32, India 1 to 133. You will see how topheavy is the administration and how much inequitable is its pay structure. My point is that the labourer, the employee in the Railway department must get a living wage. It is not difficult to ascertain that. The difficulties that have been pointed out by the Honourable Member are difficulties which can be solved if he has a will to solve them.

In the report of the Textile Labour Enquiry Committee Bombay it has been laid down how to work out a living wage standard It is not difficult for this Government to find out what is a living wage. It means "a sum sufficient for the normal and reasonable needs of the average employee living in the locality, where the work under consideration is done or is to be done". It must be sufficient to maintain a well conducted employee of average health, strength and competence and his wife and a family of three children in a fair and average standard of comfort, having regard to the conditions of living prevailing among employees in the calling in respect of which such basic wage is fixed and provided that in fixing such basic wage the earnings of the children or wife of such employee shall not be taken into consideration. Living wage standard is a generic concept and a general standard for Railways can be laid down. He himself has admitted that owing to the fact that now all the railways are state-owned uniformity is possible. In 1940 the living wage standard was considered by the Textile Enquiry Committee and it was put down at Rs. 52 in Bombay, Rs. 45 in Ahmedabad and about Rs. 42 in Sholapur. The unit taken was a family of man his wife and two children below 14. At that time the index was 112. Today that index of the cost of living of the working class is somewhere about 249. It is not difficult for this Government with a huge staff, with a research bureau, with a statistical department, commercial intelligence department and half a dozen other departments to find out exactly what would be the living wage, the minimum wage below which no man ought to get. If you refer to Railway Reports you will find that the

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lowest man today gets only Rs. 45 including dearness allowance. The daily-rated labourer, gets including dearness allowance, only Rs. 58. Working on the data given by the Textile Enquiry Committee no man should get today less than Rs. 78 to ensure for him a living wage. Now in Ahmedabad an unskilled labourer gets today not less than Rs. 73 in the textile industry. Here in the Railway Department employees must starve! These railwaymen have been honest, faithful, loyal during the last six years of war and they have suffered innumerable hardships; but gratitude is not a strong point with this government.

The House will like to know what are the main grievances which have been put before this government by the All-India Railwaymen's Federation. One is about retrenchment, the other is about revision of scales of pay and the third is about dearness allowance.

Now, about retrenchment. The Honourable Member has said that:

"Only 8,800 out of a total strength of 8,50,000 have had to be discharged. The Railway Board have been in close touch with the All India Railwaymen's Federation in regard to this question, although they have been unable to accept the claim that no railway servant should be discharged, a claim which it will be impossible for any government department or any other business concern employing large bodies of men to accept."

I do not accept this proposition. This very government only a few days ago, while the food situation was under discussion, stated that it was the duty of this government, or for that matter of any government, to feed every citizen with sufficient food of requisite quality. Now if you are to discharge that duty, am I to understand that you are going to keep men idle and feed them? Unemployment ultimately is more costly to society than employment on howsoever small a scale it may be. If you accept it to be the primary duty of this government to feed every mouth, then surely it will be stupid on your part to allow them to remain idle. The All-India Railwaymen's Federation has not criticised the policy of the government in an irresponsible manner. They have suggested ways and means whereby the present level of employment can be kept up; and not only this, but if your post-war plans are not a ruse but are to be a reality, then it thinks that many more hands will be required and there will be no necessity for retrenchment. So, on the main grievance of retrenchment I do not agree with the Honourable Member's stand that the government cannot accept Federations claim. It may be that the government may not be able to find employment in this particular department, but it is the duty not merely the moral duty but, by the fact that they have accepted it the other day as their legal duty to feed, it is their legal duty also to find employment provided the man is willing to work.

Now, as regards revision of scales of pay, it is stated by the Honourable Member that a commission has been appointed and that it is a complicated question. I do not know when the commission will come into existence, when it will record evidence, when it will record its conclusions, and who knows whether they will be accepted. As is usual, the commission's report may be pigeon-holed in the secretariat.

Last week the executive of the All-India Railwaymen's Federation met here in Delhi and they have passed certain resolutions and they have decided to take ballot for a strike. This is a serious matter. If you want them to wait till the report of the proposed commission comes, it is only up to you, if you are convinced that what they get today is not sufficient to keep body and soul together, to recommend something immediately. People talk about corruption. Undoubtedly there is corruption. But there are branches in the railway administration where there is no scope for corruption. The porter, the pointsman, the gangsmen working in the interior—they are absolutely immune from bribery. From morning till evening they have to work; they have their own families and their own children to look after. From the very fact that they are away from the cities they cannot put forth their claim with sufficient strength. From the moment of their entrance and to the end that is their exit from the service, they have no companion but poverty, the wretchedest poverty in the world

With us it is a matter of academic interest, but with them it is a daily experience. They meet it all along their life, and if this House does not come to their rescue, I respectfully submit—and if they take a strong line of action they at any rate cannot be morally blamed. Sir, I move.

Mr. President: Cut motion moved:

"That the demand under the head Railway Board be reduced by Rs. 100."

The Honourable Sir Edward Benthall: May I just put a question to the Honourable Member? It is this: he said that the textile worker in Ahmedabad now gets a minimum wage of Rs. 83. . .

Sjt. N. V. Gadgil: Rs. 73.

The Honourable Sir Edward Benthall: Whatever it may be: but he will also agree, I think, that the textile industry has put up its prices by 150 per cent. since the war started.

Sjt. N. V. Gadgil: You have increased your passenger fares and other rates in the last five years and have put on a surcharge also.

The Honourable Sir Edward Benthall: I have increased the railway fare only by 8 per cent. and not by 150 per cent. If the Honourable Member and his party consider that we should pay a minimum wage up to anything like the Ahmedabad worker's rate, he must concede that rates and fares must go up, not by 8 but by 150 per cent. May I put a straight question to the Honourable Member and his party. "How does he propose to meet the difference, or does the Honourable Member and his party funk facing the issue"?

Some Honourable Members: Cut the top expenditure.

Mr. S. Guruswami (Nominated: Non-Official): Sir, I rise to support the motion that has been moved by my Honourable friend, Mr. Gadgil. I have already on a different occasion spoken to this House and conveyed to them the primary demands on which there is universal unrest among the railwaymen today. I do not propose to cover the same ground. I shall confine myself to the three important aspects which should receive the attention of members of this House and the members who are responsible for the present policy of the government.

Let me first take the question of insecurity of service. It was stated by certain members that there is an undertaking given by the government that reservation of posts for ex-servicemen should continue and it would be immoral to break that undertaking.

[At this stage Mr. President vacated the Chair, which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)].

I am obliged to Sir Yamin Khan when he expressed the other day that he was against the policy of discharging any employee in railway service because the government is unable to provide employment for the ex-servicemen. I am also obliged to leaders of public opinion like Mahatma Gandhi who have unequivocally condemned this threat to the security of service of 70,000 railwaymen in the name of providing employment for ex-servicemen. Not only this, these men numbering 3,36,000 (these are the figures given by the Railway Board to the All-India Railwaymen's Federation as being the numbers of temporary men on the railways) are not eligible for the privileges to which the permanent staff are eligible. These men are liable to be discharged at short notice. The War Transport Member has been telling the House that there is no serious problem of retrenchment. Nobody wants that there should be retrenchment. But in the same breath he indicated that there would be a fall of 48 crores in the revenue. For every three rupees earned by the railways, one rupee goes to the wages bill of the railwaymen. A fall of 48 crores must mean a reduction of the wages to the extent of 16 crores of rupees, unless by some statistical jugglery in which the Honourable Member is an expert, he wants to avoid that situation. Let me tell you

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that this undertaking to reserve 70 per cent. of the permanent posts was not an undertaking given to the ex-servicemen—it is an interdepartmental resolution arrived at with a view to provide employment for the men who returned after war service. Therefore there is no question of an obligation that they should discharge the men who are already in service and then they should provide employment for those who have returned from the front. What are the terms for the discharge that the Railway Board gives—12 days' pay for each year of service. Most disgraceful. Why cannot they give at least free grain shop concessions until they get some fresh employment. Why do they not realise that they have responsibility as the greatest employer in this country to see that there is no feeling of insecurity of service or that the men who become unemployed are provided with adequate relief. But this Government constituted as it is has no imagination. It cannot take that revolutionary step. I shall not deal with this question any more except to say that you are unnecessarily creating a feeling of insecurity of service by your present policy. Take the example of the South African Government. They have committed themselves to the policy that no ex-service man shall be dumped in in the place of men who are already in service. They have committed themselves to a policy by which the rate of demobilisation will be according to the rate of actual vacancies in the industries. Till then it is the duty of the War Department to provide employment and maintain them during unemployment. If the War Department is unable to give them employment themselves, they have no business to dump their men, after the war is over, on other industries and ask the corresponding number of men in those industries to be relieved of service.

Next I shall deal with the question of wages. Sir Edward Benthall drew a lurid picture of what it would cost if the demand of the All-India Railwaymen's Federation was conceded. He calculated that 57 crores of rupees would be required for wages and another 21 crores of rupees for granting relief for dearness allowance. If we have erred, let me say that we have erred in the distinguished company of the Chief Labour Adviser of this Government who was then the President of the All-India Railwaymen's Federation and who formulated its demand at the Moghal Serai convention. We are prepared to examine every demand of ours with regard to its financial implications and to collaborate with the administrations if they really want our co-operation but they are not wanting it. He failed to mention that if the abolition of the new scales of pay is conceded, according to the demands of the All-India Railwaymen's Federation, it would not cost more than 2 or 3 crores of rupees and we are pledged on this thing—to abolish the new scales of pay. There are anomalous scales on the Bengal Assam Railway. In the Bengal Doars Railway Section, the men who are already in service get inferior scales compared to the new entrants. There are different scales for the same job. There is a large number of persons who are blocked on the same pay for years. Daily I receive telegrams from different railways from men who have rendered 25 years service and who are blocked on Rs. 60 and the Honourable Member has no suggestion to make.

The Honourable Sir Edward Benthall: I have a suggestion. I should like to put to my Honourable friend the same question as I put to my friends on the opposite side. Does he agree to a corresponding rise in rates and fares?

Shri Sri Prakasa: Ask them where they got their money for the war?

Mr. S. Guruswami: That is what I was going to ask. Then there is the question of the travelling porters who are given a consolidated travelling allowance of Rs. 3 for spending 20 days out of headquarters and for contingent out of pocket expenses.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): How much does the Honourable Member himself get?

Mr. S. Guruswami: He can get what he wants to get. I am only worried about those for whom I speak, the lowest class of people who are most neglected in this country. Well, he was taking about the financial implications. I shall come to it later on but I ask him what is his attitude in regard to the recommendations made by his own technical experts. The General Managers of the Railways said that these railwaymen deserve 3 months' bonus. He could not concede that demand. The I.R.C.A. Conference said that a particular scale should be given to medical officers. He would not concede that demand. Certain General Managers said that the new scales of pay were anomalous and must go. He would not touch it with a pair of tongs. He would not even consider the first demand, that there should be abolition of new scales of pay. What we want is that the standards attained in the last 25 years should not be any more denied to the railwaymen and they should be given the option of choosing the best possible scale that has been already recognised in the last 25 years.

4 P.M.

Sir, last year, the Government of India appointed a committee known as the Krishna Prasad Committee. They came to the conclusion that at least Rs. 60 would be required for the lowest paid manual labourer or worker in the department to meet his minimum demands in the present conditions. Would he accept that recommendation of the Krishna Prasad Committee? No. The Labour Department of the Government of India suggested on the lines of the practice followed in regard to the Workmen's Compensation Act that dearness allowance should be treated as part of wages. Well, the conspiracy of employers defeated that. The result is that today the workers lose by that nearly 1½ crores in the shape of provident fund bonus and gratuity which would have otherwise accrued to them.

Then in regard to dearness allowance, the other day he wanted to point out that the men are getting lot of money as dearness allowance and that could not be ignored. The practice on the railways is that a portion of the dearness allowance is given in kind and that would not enter into the relief of a worker if he dies or meets with an accident while on duty and in regard to wages that are given in cash, there is a new cash system there. Men under 40 get one rate and men above 40 get another rate. This practice was not prevalent on the railways when the dearness allowance was introduced. The Postal Department virtually abolished this practice by giving in the shape of cash allowance and good conduct pay an amount of relief which is equal for all grades of staff.

Then there is the zonal distinction. A Provincial Government abolished the zonal distinction in regard to dearness allowance but the Railway will not do it. It did not have the courage to consider such a demand. He raised the question about the financial implications. He did not raise the question when he gave away 200 crores of rupees in all these years to the general revenues, contrary to the findings of the Wedgwood Committee which said that the railway surpluses should not go to the general revenues. The Wedgwood Committee said that a reserve fund of 50 crores and about 30 crores depreciation fund is all that is necessary. Now he has accumulated 130 crores. He is a very good business man, good at window dressing. He can give a gloomy picture if he wants.

Mr. Deputy President: The Honourable Member has two minutes more.

Mr. S. Guruswami: The position in regard to the demands that we have made is that we are not so arbitrary as to say—neck or nothing. We are prepared for modifications if an impartial adjudication is arrived at. If they go into the statistics that we produce and into the statistics that will be prepared by the Railway Board and if these are placed before that adjudication authority we shall abide by the findings of that body. The position is that the present machinery for settlement of disputes on the railways is very unsatisfactory. The Whitley Commission recommended that there should be a joint standing machinery. If that had been in existence there would not be the threat to industrial peace that exists today; there would not be the present unsatisfactory conditions where the Labour Member is intimidated by

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the towering personality of Sir Edward Benthall. The Labour Member is following the attitude of that Laputan philosopher who did not know whether the water in the jug supported the jug or the jug supported the water inside. He is still considering whether there is a justiciable issue or not. It is a most absurd and reactionary attitude that the Labour Department takes in this matter. But under the Trade Disputes Act if there are any differences and any disputes between the employer and the employed and if there is a joint application we do not require the favour of the Labour Department to bring into existence a court of inquiry. May I appeal to the Railway Member that he should join with us in an application and refer to an impartial court of inquiry all the points that are in dispute? Within 15 minutes I cannot give him figures which will show how he can find the revenue for meeting our grievances.

Finally, Sir, I have one thing to say and that is this. In 1938 I was invited by the Mexican Government for the purpose of seeing for myself how the management of the railways was conducted in Mexico. I accepted that invitation and went there; and I found that when the employers said that the workers irresponsible and unreasonable and that any concession to their demands would fall on the poor consumers, President Cardenas made this offer to the Mexican Railwaymen's Federation, "Will you run the railways?" They accepted the challenge, they reduced the rates and fares, they increased the wages bill and the administration was extremely satisfactory under the control of the workers. I will make this offer to the Railway Member. If with all his business acumen he cannot meet the demands of the railwaymen, let him hand over the administration to the workers. They will run the railways much better, to the satisfaction of the people of this country who are the owners of the railways, to the satisfaction of the consumers and to the satisfaction of the workers on the railways.

The Honourable Sir Edward Benthall: Sir, can the Honourable Member be given one minute more to answer my question?

An Honourable Member: What is the question?

Mr. S. Guruswami: I am prepared to answer the question if the Honourable Member accepts adjudication. Fifteen minutes are not enough to find out 78 crores.

The Honourable Sir Edward Benthall: I thought the Honourable Member was going to answer it

Dr. Sir Zia Uddin Ahmad: Sir, two issues have been raised on this motion, namely, retrenchment and wages. I will raise a third issue, namely, tenure of service.

With regard to retrenchment there is already a Bill before the House proposing reduction of working hours per week. If that Bill becomes law and the number of working hours are reduced, not one single person will be retrenched and the problem will be automatically solved.

As regards wages my Honourable friend the Railway Member thinks that an increase of wages will also mean an increase of rates and fares. I take a different view, and that is that when the wages were fixed in terms of rupees they were guaranted certain comforts. Now the purchasing power of the rupee is reduced and ten rupees do not bring in the same comforts in the way of food and clothing as when the wages were fixed. So my Honourable friend the Railway Member should approach his colleagues the Commerce Member and Finance Members and others to lower the price level and fix the purchasing rupee, in which case the problem about wages will disappear.

I now come to the important issue of tenure of service. On the 24th February, 1934. I raised the question of appeals which, I said, was most defective. A person files an appeal to the Divisional Superintendent who just sends it back to the clerk on whose report the discharge or dismissal took place.

and then he gives an order. When it goes to the General Manager he never reads the appeal; that has been proved on the floor of this House and was admitted by one of the predecessors of the Honourable Member. It is sent back to the Divisional Superintendent, again sent back to the clerk, and then a note is written that agent has no reason to interfere. It comes to the poor man without any one having even read the appeal. When the thing comes to the Railway Board the same thing happens and even when it goes to the Viceroy the appeal comes back to the same clerk and he gets the same reply. So it is really decided by one man who is a clerk in the Divisional Superintendent's office. In that debate on the 24th February, 1934, the late Sir Henry Gidney took part and this is what he said:

"My Honourable friend Dr. Ziauddin has immortalised here the ubiquitous clerk in the railway office. This is a daily occurrence. The opportunity of a subordinate to appeal then becomes an absolute farce."

It was suggested in that debate that a person with a judicial mind should be appointed who should be attached to the office of the Agent and the Railway Board to attend to these appeals. I made this suggestion 12 years ago but nothing has yet been done. Six years later this question was again raised in the House and I mentioned a number of cases in which a very curious punishment has been awarded. One case I mentioned was of a man who had joined service as Ahmad Husain and after 20 years he was told that his real name was Husain Ahmad, and so he had been guilty of false personification and was dismissed. Sir Andrew Clow was at that time Railway Member; I told him that when he joined service as Joint Magistrate of Aligarh he was called Kallu Saheb and after that long service he had become Sir Andrew Clow. So according to this dictum he also should be dismissed. But this is the kind of justice done. I appeal to the Honourable Member to look into this and request that he should appoint a person with a judicial mind who should be attached to the Railway Board and to the office of the General Manager, to listen to the appeals of the Railway Staff. The other thing is that appellant authority should not be attached to the Railway Department but to the Labour Department because the man dealing with appeals should not be looking forward to any promotion in his own department. It is very important. In other countries great stress is laid on these appeals, and for the benefit of Honourable Members I will quote the system prevailing in the South African Railways. Here he says, in the system of appeals in South African railways, they have established a Board of Appeal consisting of ten Members, a Police Magistrate appointed by the Governor in Council is the Chairman, four representatives of the employees representing four Divisions of the State, and five Officers, namely, the Chief Mechanical Engineer, the General Traffic Superintendents of three Divisions and the Engineer in charge of maintenance, signal and light. The Police magistrate, an officer not of relevant branch, and a nominee of employees of the same branch to form the quorum.

What I have described just now is quite different from the casual system of listening to appeals. Not a single individual ever reads the appeal of the unfortunate person who has been punished simply on the report of a clerk. This is a thing which requires careful consideration. I again point out to the Honourable Member that this matter has been waiting for the last 12 years and we have had debates in this House several times and nothing happened. I think that this question ought to be taken up by the Labour Department, because they have a Labour Welfare Officer. So I suggest that the hearing of appeals ought to be transferred from the Railway Department to another Department of the Government of India, preferably the Labour Department. They should appoint persons with judicial experience to listen to these appeals, as was suggested by the House 12 years ago. Or, they should follow the example set by South African Government and appoint a special Tribunal of which the President should be a semi police officer and the Tribunal should contain representatives of railway employees as well. If this system of hearing appeals is introduced, then surely there will be better security of tenure in services which does not exist among officials at present. I do not want to lay great stress, but I must point

[Dr. Sir Zia Uddin Ahmed]

out to my Honourable friend representing the Labour Federation that his Federation gave very little assistance in the matter of appeals when special cases went to them. It was for this reason that the Muslim employees were forced to have their own Muslim Railway employees Association. We repeatedly brought the cases of these persons who were ill treated under the system of appeals, but they paid no attention whatsoever. It is one of the grievances I have against the all India Railway Employees Federation, because they really took up the cause of only one class of people about appeals. They did not take up the cause of other classes of people. If my Honourable friend is anxious about these things, he may read my speech which was delivered in the Legislative Assembly when I recited a number of cases of this kind, a good many of them were also quoted by Mr. DeSouza in his report. Probably the Honourable Member might look up those cases as well. We should have security of tenure for these railway employees, to whatever nationality they may belong, they should be convinced that so long as they discharge their duties satisfactorily, their services will be secure and they will not be harassed or dismissed simply on the whims of an officer who did not like the subordinates for one reason or another and punish them because they had not been obedient to him in private life or something of that kind. Sir all the three points raised in the Cut Motion are important. There ought to be no retrenchment and I am sure there will be no retrenchment because we will have new works and also the hours of work will be diminished. On the question of rates and fares, I suggest we should lower the price level and we should make the rupee have the same purchasing power which it had when the scales of salaries were fixed. On the system of appeals, I have already said you should adopt a better system.

Sardar Sampuran Singh (West Punjab: Sikh): Sir, I have full sympathy with the Honourable the mover of the motion, but he seems to be taking only two parties into consideration, that is the Government and the railway employees. I think there is a third party to this question, and that is the public, the passengers and the masses for whose benefit the railways are being run. If the general condition of the people in this country, is kept in view, we would not talk about raising the pay and increasing the expenses when we know that the person who has to pay has much less income than the person whom the railway employs. We are too much in the habit of measuring everything with the standard of wages by which we pay to the Englishman in this country. Whenever we think of any Government employee we try to measure his wages by the standard of the emoluments by which we pay to the Europeans in this country. We do not consider what is the income of an average man of our country who pays us who pays the railway employees and who is responsible for meeting all expenses incurred in connection with this top heavy administration. When we compare the income of the railway employees with that of the peasant in this country, I think we would feel that we are not perhaps quite right to demand such high salaries for our railway employees. I have full sympathy with this principle that it is the duty of the Government to see that everybody gets enough wages at least to keep his body and soul together. That is the utmost we can expect in this country of poor people. But that does not mean that we should not provide at least the same comfort for the paymaster. Considering the condition of the people of the country we can not allow high salaries to the railway men.

Next is the question of employing ex-service men in the Railway department. I quite agree that it is the right of everybody that he should get enough work for his living But this principle should not apply only to railway employees, it should apply to all—ex-service men as well. If you are going to turn out thousands and millions of people from the army and from various other Departments connected with the War, then it is the duty of Government to employ all these people as well whom they are going to demob. On this point, I am not going to gainsay what has been said by others. I would certainly add that when you are thinking of these railway employees, you should also think of

those millions of people, who, as you ought to admit, have joined the army and other services because they were starving here. They joined the army for making their living and now on being demobbed they should be given opportunities and occasions to make their living. I fully agree with my Honourable friend Dr. Sir Ziauddin Ahmad that officers not only in the Railway but also in most of the other Government departments have developed the habit of not going deep into the cases of appeals, I would even say they do not give even proper thought to appeals from subordinates which come before them. Sometimes they pass most ridiculous orders on such appeals. When one reads their orders, one feels that perhaps they did not even go through the files. Perhaps they have to do too much work, but it is a fact that the appellate authorities rarely go carefully through the files—as their predecessors did and consequently rarely justice is done to the petitioners. I think under these circumstances either there should be separate tribunals for hearing these appeals or I think it would be better if the appeals relating to one Department are looked into by another which is likely to know and understand the working of the former Department. So far as the Cut Motion is concerned I generally agree with the principle and I would support it, but it should not be taken in the sense as some Members of the House seem to take it.

Mr. Nagendranath Mukhopadhyay (Calcutta Suburbs: Non-Muhammadan Urban): I rise to support the Cut Motion moved by my honourable friend Mr. Gadgil. This budget has been called a victory budget. But I would call it a mechanical budget because it has taken no notice of the human element in it. Do the Railways merely consist of so many engines and trains? Are the employees also to be considered to be machines? That the employees are men, that they have cravings and that they have higher aspirations in life have not been taken into consideration. My submission is this. It is very refreshing to hear that the railways have delivered the goods. It is equally refreshing to hear that 85 millions of passengers have been carried by the railways every month. It is also heartening to be told that profit has accrued to the extent of Rs. 225 crores this year. But when you are to pay these men who have worked day and night, day in and day out, without any rest and brought about this success, when the question of remunerating them comes up, you complain "Where is the money to come from?" That is very funny indeed. I do not like to refer to the Lee Commission which awarded crores of rupees to the superior officers in all branches of the service. I do not object to the payment of dearness allowance to the officers who are drawing over thousand rupees pay. I simply say "Out of the 225 crores of rupees why do you not put aside fifty crores for those human machines?" Now, the days are fast changing. We are going to attain freedom. And these human machines may someday become an asset to the Railway Board. Don't you see how the times are changing? Here we have a Governor who has been a porter. From the rank of a railwayman he rose to the position of President of the Union and now he has occupied the *gadi* of the Governor of Bengal. So, if the best brains in the Railway Department are encouraged and if proper facilities are given to them, some people will come forward and be able to sit by the side of the Members of the Railway Board and will occupy positions by the side of the Honourable Member. Instead of encouraging these men, you say this victory budget means that 8,800 persons are to be discharged. What is their offence? They have worked for the success of the railways and they thought as a reward of their labour that they will have permanent appointments. But these temporary hands are to be discharged. This is funny indeed. After their strenuous labour, after their *bona fide* attempt to make it a success, they are now to be discharged. This ought not to be. Not a single railway man should be discharged. That is my humble submission. If you want to create a tradition that will remain for ever, even when India is free, a tradition that will be followed, it is your duty to follow it now. I simply submit that the *mamooli* statement, the stereotyped method of saying

[Mr. Nagendranath Mukhopadhyay]

that a Commission will be engaged to revise the scales of pay, is certain to put it off. That is not encouraging. I think the whole budget should be recast and a sufficient amount should be provided for giving proper remuneration to the employees—these labourers who have made it a success. If you do that, then you will have the hearty blessings of all people of India and of God. If you fail to do that, then you are damned for ever. So I ask the Honourable Member to reconsider the present situation The times have changed and these young men who have given their best to the service of the railway should be encouraged and their better brains shou.d be developed. Fuller opportunities should be given for their education and training. They are men. They have their families and their children. They have to look after them. Please therefore consider them as human beings and give them human facilities to rise. That is my humble submission. With these remarks I support the Cut Motion.

Mr. Frank R. Anthony (Nominated Non-Official): I rise to support this motion although I do not propose, like the previous speaker, to attempt to damn the Honourable the War Transport Member.

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Why not?

Mr. Frank R. Anthony: He may deserve it, but I do not propose to do it as in attempting to do so I will have to invoke the services of a bishop in order to make it effective. With regard to my honourable friend, the mover of this motion who has also interrupted me with the question "Why not?"—I am glad he has not pursued a communal hate—I may tell him that I am as much interested in the inferior servant as he is. Do not for a moment allow yourself to labour under a fallacy that the Anglo-Indian is in receipt of munificient scales of pay. There are many scores of Anglo-Indians who are getting twelve rupees a month as a basic wage. That is all they are getting today—six annas a day. I want you to disabuse your mind of this fallacy, that because a person is an Anglo-Indian an Anglo-Indian he automatically is in receipt of a good pay. I am glad therefore that the mover did not persue any communal issue, although he made an oblique reference to it.

Sir, I do not want to elaborate on this question of wages because I have a separate Cut Motion on which I hope to speak at some length. In that Cut Motion I have asked for a sixty rupee wage to all employees who are in the lower cadre of railway service. But I would ask here, as all the railways have come under State management, that a uniform wage scale should be introduced for all the railways in the lower cadres. These scales and emoluments vary from railway to railway. It is high time, now that there is the same administration, that for men with the same qualifications doing the same work you should pay the same uniform scale of emoluments.

My honourable friend in his Cut Motion referred to the question of working hours but I have not noticed any comments from the speakers. Before I come to that I might make some answer to my honourable friend to my left who rather cut across the requests on behalf of railway labour. I agree with him entirely that this country is abjectly poor, that the man in the street is abjectly poor, but may I suggest to him that labour in this country, when it makes a request for better emoluments for the railway worker, is acting as a spear-head for the general advancement and uplift of the poor man in this country? I am asking for the uplift of the railway worker, but thereby we are not proposing to put an incubus on the peasants in whom my friend is very warmly interested. These increased emoluments need not be made available as a result of increased burdens on the peasant. My friend Mr. Guruswami has told us that if this matter is referred to adjudication he will tell the Honourable the War Transport Member how to secure the 78 crores of rupees which will be involved in giving the lower cadre of railwaymen a decent living wage.

As I said, nobody has commented on this question of working hours. I have raised this matter for the last four years and quite frankly I have got really tired of it; this is a matter on which I cannot evoke the simmering of any response from the Honourable the War Transport Member. For years I have complained of these unduly, inordinately long hours of work. I do not know why even a request of this sort, a very modest request, my Honourable friend figuratively and sometimes literally turns his back on.

Shri Sri Prakasa: He works very hard himself.

Mr. Frank R. Anthony: Not anything like the Fireman or the Driver who in scores of cases known to me have been required to work—I am prepared to give you figures authenticated by log books—for 20, 25, 30, 32 hours continuously. My Honourable friend, on my left was talking of a 42 hour and 50 hour week I can produce cases where men have been made to work 32 hours continuously, where men have been made to work 16 hours continuously in the summer months, on the foot plate—the most heartbreaking job—and when they where physically incapable of standing the strain any more and asked to be relieved, they were summarily removed from service. I know one case personally: A man was removed merely because after having worked for 16 hours continuously and when it was physically impossible for him to do any more work, he asked to be relieved, and instead of doing that he was summarily removed from service, after having put in 20 years of service. That is the most unfortunate part of the whole thing . . .

The Honourable Sir Edward Benthall: There is a little more in it than that, as the Honourable Member knows. There were other considerations.

Mr. Frank R. Anthony: I will come to that later. But I may tell the Honourable the War Transport Member that even now on the B. N. Railway if you will get hold of the log books in certain areas you will find that men are being made to work for 20 and 22 hours. I would ask him to put a stop to this.

On the question of leave, which is another item which occurs in this motion, I have been informed that it is a considerable source of resentment that discrimination prevails very strongly in the matter of leave privileges; that people who take leave overseas are allowed to take a certain period of leave on full pay, while people doing the same work if they want to take leave in this country can only take half the period on full pay or the full period on half pay. This I submit is a discriminatory condition which is very much resented by the men, and quite rightly so.

Finally I come to this question of the security of staff. And here I would endorse completely the views expressed by my Honourable friend, Dr. Sir Ziauddin Ahmad. This is a matter also which I have raised in season and out of season, but so far without any successful results. I do not know whether Members of this House appreciate the fact that of all the Government services this is the one service which insists on perpetuating a system of insecurity of service which is nothing less than a relic from the dark ages. The railwayman today has absolutely no security of service. He enters into what is euphemistically called a contract, but is entirely an unilateral arrangement. The railway can get rid of him, give a notice without assigning any reason. This does not obtain in any other Government department. There is a provision of removal from service as distinct from dismissal. Any railwayman who has put in even 25 years of service, because his appearance—the colour of his hair or the colour of his eyes—does not commend itself to his boss can be removed from service. This is a matter of which I have personal knowledge and which I would say even the Honourable the War Transport Member does not possess.

The Honourable Sir Edward Benthall: Has the Honourable Member ever come across a case where some of these railwaymen have been removed from service because of the colour of their eyes or of their hair.

Mr. Frank R. Anthony: I do not expect any railway officer of however low degree of intelligence to put down on paper that he is removing a man because

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he does not like the colour of his hair. But they remove him for these motives without assigning any reason. You have this provision which gives the railway authority absolute power which is abused over and over again. A man commits himself under the rules, you can dismiss him provided you substantiate the charge but you won't give him the opportunity of explaining his position. It is a monstrous provision. It is one of the provisions which has led to a considerable feeling of insecurity on the railways.

My Honourable friend said when I referred to the case of a man having been removed for refusing to work after sixteen hours of continuous work, that there were other considerations. The other considerations were these: You have another provision on the Railways—a man can be removed from service for alleged repeated minor offences. Take this phrase into consideration: repeated minor offences. What Government servant in the course of twenty years of service has not fallen from grace and has been fined two rupees or three rupees, but on the railways in pursuance of your old-fashioned, arbitrary, high-handed policy you will get hold of a man whom you don't like, you will rake up his official past, his record of twenty-five years service, and you will find out here and there that he has been fined five rupees for dropping a lead plug or two rupees for running late and you will remove him from service. This is not done in any other department of the Government. These are obvious injustices which I have repeatedly asked you to remove. How will your efficiency suffer if you merely bring the provisions governing conduct, governing enquiries, governing dismissal into line with the provisions obtaining in the other Government services. That is all I am asking you. As my Honourable friend, Sir Zia Uddin Ahmed, has pointed out, your provisions with regard to enquiries and appeals are obsolete, they are more than that—they are farcical. In a Court of law if a man is convicted, he can get copies of the evidence on which he is convicted. You charge-sheet a man as a result of an enquiry and you decide to dismiss him. When that man in order to put in his appeal asks for copies of the evidence which has been led against him, you say that no copies can be given. The commonest felon in this country after he has been convicted has the absolute right to get copies of the evidence on which he has been convicted. But you refuse to supply that evidence. With what result? He puts in an appeal without knowing what evidence has been considered against him. And as my Honourable friend Dr. Sir Zia Uddin Ahmed pointed out the process of appeal is the most farcical of all the processes. It has to go through the authority that has convicted the man, and the appellate authority usually never reads it. If a man is convicted on the railway, in cent per cent cases—I will give you a concession,—in 99·9 per cent cases the appeal is never read. It is only a nominal process of getting a rubber stamp affixed to it. That is all. I am not asking for much. I am only asking you to do away with this obsolete provision. If a man is to be convicted, allow him an enquiry based on judicial procedure.

And, finally, may I ask the Honourable the War Transport Member—he is not listening to me . . . . . .

Mr. Deputy President: The Honourable Member has one minute more.

Mr. Frank R. Anthony: May I make a final reference to this question of reservation of 70 per cent, of vacancies for ex-servicemen. I feel very strongly on this point. Perhaps members of the House look at this matter from opposite points of view. But as I said before Government has an obligation to the ex-soldier. Whether Honourable Members are prepared to accept it or not the ex-soldier was responsible for preventing this country from being overrun by the Japanese. The most ardent Indian patriots who knew the Japanese when they were serving with the Indian National Army, regarded the Japanese as savage uncivilised little brutes. It is the ex-soldiers who did prevent our country from being overrun by such men. I am not for one moment asking you deliberately to retrench those in employment.

Mr. Deputy President: The Honourable Member's time is up.

Mr. Frank E. Anthony: Try and find them the maximum employment. But in the matter of re-employing the ex-soldier you have given a promise and it will be a sorry thing if you went back on that promise.

Shri Satya Narayan Sinha: The question be now put.

Mr. Deputy President: The question is:

"That the question be now put."

The motion was adopted.

The Honourable Sir Edward Benthall: I shall have to deal very hurriedly with only a few of the points that have been raised. One of two speakers spoke of the crores of rupees given away to the gazetted staff. If Honourable Members concerned, or any Members will look at the Administration Report of last year, page 43, they will see that of the total of 57 crores which is paid out to staff for that year, 3 crores or about 6 per cent, only is paid to gazetted staff and the balance 53·72 crores is paid to non-gazetted employees. The concessions to the gazetted staff amount to very little indeed compared with the concessions to the rest of the staff.

I must just make one other point. It is said that it is the duty of the Government to find employment for all railway workers. I agree that it is the duty of Government to create conditions for the maximum employment. But I do not think that any Government can be expected to find employment in the railways if the work is not there, particularly for temporary workers, possibly men who have joined for a month or two and who now apparently claim—I do not think the claim is really sincere, because I can quote Mr. Guruswami's own words against it—but the claim often pressed applies to men who have only had perhaps a couple of months service with the railways and who claim that on that basis they should be employed on the railways for the rest of their lives.

Mr. Anthony raised a number of points in his usual style and reiterated points which he had raised in previous years and frankly I am not able to deal with them all at the moment, but I would like to touch on this question of hours of work, because it is one which has been worrying us for a long time. I have talked to engine drivers and the running staff who have had very long hours during the war and it is our desire to do something about that. In cases where we have attempted to do it we have however sometimes got the backlash from the running staff They say that they are thereby losing allowances and, so would rather have the longer hours. The Board have issued instructions to railways that they have no objections to Administrations giving consideration to the immediate application of the principles of the Payment of Wages Act to the running staff if by doing so they can keep on men who would otherwise become surplus and thereby prevent an increase of unemployment among railwaymen. The whole question of the hours of employment regulations is under careful study of the Board with a view to seeing what they can do to ease the position of the running staff.

I had now better try and deal with the main issue in front of us. I should not like my honourable friends representing labour to think that we are anything but sympathetic to their claims. I have interjected certain questions to-day because I feel that the House is not facing up to the issue. I have asked the honourable the mover and my honourable friend Mr. Guruswami to give me a straight answer to the question where the money is coming from and in neither case have I had it. They will not face up to the issue.

Shri Sri Prakasa: The Nasik Press will give you all the money!

The Honourable Sir Edward Benthall: In spite of those interjections I do appreciate how very anxious railwaymen are and it is natural too that they should ask for better pay and conditions. I do appreciate how worried they are about the question of retrenchment, about the post-war scales and so on. And we are not at all unsympathetic. But some of the demands are unreason-

[Sir Edward Benthall]

able and I have attempted to show that. We are bound by financial limitations whatever anybody cares to say and we cannot get away from them. They must be faced up to. We have got to come out boldly and face up to the facts of the situation. Someone has to do it and it is not reasonable to leave it only to the Government spokesmen and for other Members to shrik the issue for that is what is happening.

I am very anxious that this difficult question should be solved by consultation. My honourable friend said, 'Where there is a will there is a way' and there ought to be a way out of this. Mr. Guruswami said that he would be very pleased to discuss it. I quite agree. The Railway Board and Government are perfectly willing to discuss this but the House should know that we did arrange a meeting the other day, on February, 12th, with the Railwaymen's Federation and the Board was sitting there when a letter came saying that the Railwaymen's Federation very much regretted that they were unwilling to meet the Board and instead put out a strike threat. Well, Sir, I have always had one principle in dealing with labour questions over quite a number of years. It was my principle in business, that where there are disputes with labour there is usually no smoke without fire and I have always believed in examining the grievances of the workers with the utmost thoroughness and sympathy and very often one finds that there are wrongs, that there are things which might be righted and that concessions can justly be given, concessions which naturally fall below the extreme claims of labour, but which are reasonable and within the financial limitations, which can be given and go some way, if not all the way, to meet the just demands of labour. I believe therefore in going most thoroughly into all questions which arise with labour and making quite certain that they are getting a fair deal. I have stood for that throughout the war and there is no doubt that the railwaymen do get greater concessions than any other class of Government servants. But having given the workers a fair deal, I do not believe in yielding to threats.

Sir, this strike threat is a challenge not only to the Railway Administration but far more to the public. Furthermore, it is something in the nature of a boomerang. Because if you have a strike, it affects the financial position of the railway and immediately and automatically there is less money to pay to the workers. That is inescapable. There is no question therefore that if you subsequently have to go in for retrenchment, it is not a case of victimisation but it is a consequence of the action taken. It is also, I suggest, at the present time a challenge to the public, just at the moment when everybody is straining every nerve for the reconstruction of India, politically and economically, and particularly at a time when we are facing a food crisis. And I consider that in view of the attitude of Government in this matter this threat of strike is a totally unjustifiable attitude and one, which, I for one cannot accept.

[At this stage Mr. President (the Honourable Mr. G. V. Mavalankar) resumed the Chair.]

On the general issue, it would of course be extremely easy for me to respond. A speaker over there, I think it was Mr. Gadgil, said that Government is never generous, that Government never shows generosity in this matter. It would be perfectly easy for me to give handsome benefits to railway labour and to walk out and leave my Honourable friends with the baby. It would not, I think, be right, but that is what would happen, because as the figures show, somebody has got to face up to this issue.

I think myself that the solution of all these problems lies not in the course of "less work and more pay" as is suggested in many quarters but in finding more work for the railways and in more work by the railwaymen. If we can work together to create industrial activity throughout the country, there is every hope that we shall reduce retrenchment to the minimum and in consequence of the industrial and consequential railway activity, have more money available for staff amenities and for every other purpose. But, as I said, every stoppage, whether in industry or in railways, means less money for the railways and

therefore less money for the workers; and therefore it is commonsense that we must find a solution for this difficulty in working together, in meeting and discussing these problems and trying to find a way out. Sir, we in the Railway Department are only too anxious to meet the Railwaymen's Federation and discuss these matters further with them. Government have stated that they are appointing an impartial committee, because it is going to have a non-official majority. It is an impartial commission to go into the question of postwar scales and I believe that goes quite a long way in reality, if the will is there, to meet Mr. Guruswami, who said that he was prepared to cooperate with an impartial court of enquiry. This is an impartial commission and I can only assure him once again that we are only too anxious to meet and discuss and try and find a basis of agreement. But we will not yield to threats as my Honourable friend Sardar Sampuran Singh said, in the interests of
5 P.M. the public, whose interests come far above anybody's in this matter, particularly at this difficult time. Sir, I must oppose the cut motion.

Mr. President: The question is:

"That the demand under the head Railway Board be reduced by Rs. 100."

The motion was adopted.

SITUATION *RE* STRIKE AT BOMBAY AND KARACHI BY R.I.N. RATINGS

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): Sir, I ask your forgiveness and also that of the House for detaining the House at this hour in the afternoon but my justification is that the news which has come to Delhi from different parts of the country, and particularly from Bombay and Karachi, is that the situation has considerably worsened since this morning. You will remember, Sir, this morning I said that having regard to the latest news that we had got that the situation had worssned in Bombay and also in Karachi, we could not be a party to dropping the adjournment motion altogether. In answer to that Mr. Mason said, "I do not think it is correct to say that the situation has worsened. I believe that all yesterday evening the situation was very much better", and, later on, he added, "It is very much better. I think there is very good hope of a reasonable solution being reached in the course of today." In those circumstances, Sir, we thought that, having regard to what was said from the Government Benches, it might improve the situation if the adjournment motion was not discussed this afternoon. But at about quarter to four news came to us that in Karachi this morning H.M.I.S. *Hindustan* was under fire for 25 minutes, that there were casualties and eventually the ship's company had surrendered. Further news came that in Bombay the situation had definitely worsened, that tanks were on the streets of Bombay, and that there were a lot of casualties. I am told by my colleagues who come from the Bombay Presidency that there were firings 20 times and 60 (sixty) deaths I would not like to detain the House longer than is necessary; but, having regard to the fact that the situation has definitely worsened, I would request you and I would request the Leader of the House also to co-operate with the House in having a sitting tomorrow. Having regard to the situation with which we are faced, I think the House should be in readiness tomorrow to deal with any urgent matter that comes before it, the situation, from all accounts that we have received, certainly demands of us as representatives of the people that we should be in readiness to tackle with it and to give our advice whether by means of an adjournment motion or by any resolution that can be framed. The first thing to be done is this: I ask you, Sir,—and I ask the Leader of the House to cooperate with you and with us—to decide that the House will sit tomorrow, because it may well be that the situation may be worse tomorrow than it is today and we cannot possibly, as representatives of the people, sit in our homes while fires are burning in Bombay, Karachi and elsewhere. With the utmost respect to all my colleagues in this House, I would suggest to them to leave all work aside, to appreciate the seriousness of the situation and to assemble in the House tomorrow morning.

Mr. President: I do not know what the position of the Honourable the Leader of the House will be.

The Honourable Sir Edward Benthall (Leader of the House): Sir, I have been handicapped owing to the debate this afternoon—I have not had the despatch which the Honourable Member has just read. The position is, as you know, that this morning your ruling, as I understood it, was that we should meet on Monday to discuss this subject at 4 p. m. I also understood that there was general agreement this morning that it was in the public interest that we should leave a little time for thought between now and then and that this question, in the general interest, should stand over for debate on Monday afternoon. That is how I understood your ruling this morning; naturally in a serious situation like this which has arisen further developments may have occurred; but I still think it would be in the public interests to leave the debate till then, when we hope the thing will be clearer. Apart from that we had reserved tomorrow for Bretton Woods, but that has fallen irrevocably through and we have nothing for the order paper.

Mr. President: My point is whether Government will consent to the House sitting tomorrow.

An Honourable Member: We can find business any time.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Practically this is in itself the business.

Mr. M. Asaf Ali (Delhi General): May I say that if there is no other business then I would insist on my adjournment motion being taken up tomorrow, because after all it was the urgency of the situation which had moved me to table that motion, and I was prepared to postpone it till Monday in view of the statements that were made and in view of the general hope expressed that there would be no further deterioration of the situation. In fact I had made it perfectly clear in the morning that the suggestion I had made about referring the whole matter to the Defence Consultative Committee should be taken as a sign of truce. In fact I made it perfectly clear that it should be truce from that moment onwards. Now, apparently that truce has not been observed; and if that is so, I insist that the adjournment motion should be taken up tomorrow; and it is the right of the House that we should demand a sitting for tomorrow for the simple reason that the situation is deteriorating from moment to moment. It is not a question of the situation standing still. It has not stayed out; it is deteriorating from moment to moment; and in that situation I do not see how we can sit still. We shall have to assemble here. It is not as if we cannot assemble tomorrow. We can assemble tomorrow and I do not see why Government should not agree to a sitting tomorrow. As for the business, I have said that if there is no other business, then this adjournment motion ought to be taken up.

Sardar Mangal Singh (East Punjab: Sikh): Sir, I entirely associate myself with the observations made by my friend the Deputy Leader of the Congress Party; but I do not agree with him when he says that tomorrow we should come and take up the adjournment motion only. I would submit that the Government should bring forward a motion early in the day that the political situation in the country be taken into consideration. In that case we would be able to devote the whole of the day for the discussion of this question. If we take up the adjournment motion there will be only two hours to discuss it, and naturally many honourable members would like to speak on this matter. I would therefore submit that the Leader of the House should agree to give the whole of tomorrow to the discussion of this critical position.

Miss Maniben Kara (Nominated: Non-Official): When the Assembly is going to sit tomorrow in order to discuss this specific question, I do not understand how it can be debated on an adjournment motion. So I submit that tomorrow's meeting should be entirely devoted to a thorough discussion of the subject. When a special meeting is being called, it should not be only for discussing an adjournment motion.

Mr. President: The question at present is whether we are meeting tomorrow or not. On that point, I would like to hear the War Secretary.

Mr. P. Mason (Government of India: Nominated Official): May I say in reply to the Leader of the opposition that when I said this morning that I felt that the situation was improving, I was speaking of the prospects of a settlement over the next two days of the indiscipline which has occurred, and I know of nothing that has happened since, which makes it unlikely that that question should be settled over the next two or three days. There have been, it is true, according to my information two occurrences, one is the surrender of *Hindustan*.

Mr. M. Asaf Ali: Despite the truce.

Mr. P. Mason: I never mentioned the word 'truce'. I also heard there was an outbreak of rioting in Bombay during the day; but my information is that that is not a matter in which the ratings of the R.I.N. are concerned. Other members of the House may have better information than mine, but I understand that that is an outbreak of rioting such as does happen in Bombay and Calcutta when the conditions are disturbed in which the lawless elements of the population have broken out . . . .

An Honourable Member: What about Karachi, Mr. Mason?

Mr. P. Mason: In Karachi the position is, as I said this morning, that the shore establishments have now handed over all their weapons and there seems to be no further resistance there. In the *Hindustan* the ratings have fallen in on the jetty and the matter is, I hope, virtually over.

Prof. N. G. Ranga: Kill them into submission.

Mr. P. Mason: The point I wish to make is that while negotiations are still going on and the matter is being completed I question whether a discussion in this House is really in the public interest. It seems to me—and I do say this with a sense of responsibility which, I know, is shared on the other side of the House—that the only effect of a further meeting and a long day's discussion on this subject tomorrow—the only effect it can have is to encourage those who are taking part in this indiscipline to continue, and that is what I think we all wish to avoid.

An Honourable Member: And leave you a free hand to shoot them!

Shri Sarat Chandra Bose: May I say a few words in reply to Mr. Mason? The facts which I placed before the House this afternoon have not been attempted to be challenged. The first fact is that H.M.I.S. *Hindustan*, was brought under fire and that there were casualties. The further fact is that the fire lasted for twenty-five minutes, and one can safely presume that the casualties were heavy. Then, as regards Bombay, the situation has definitely worsened. My Honourable friend Mr. Manu Subedar and other members of this House have received information that there have been sixty deaths in Bombay today since we met in the morning. The suggestion that has fallen from my honourable friend, Sardar Mangal Singh, that the whole situation should be discussed tomorrow, is one which, I expect the Leader of the House and Mr. Mason will accept. It is no use saying that there has been discipline here and indiscipline there. We know what discipline or indiscipline means in the vocabulary of the British imperialist. We know what law and order mean in the dictionary of British imperialists. We Indians have our own view of discipline and our own view of indiscipline. We have our own view of law and order, I mention these facts in order to show that there is certainly very great necessity for the matter being discussed in the House tomorrow. After all, we are here representing the people and surely we cannot sit with folded hands here while Bombay is burning, Karachi is burning and probably Calcutta also is burning by this time. I therefore press my suggestion for your consideration and for the consideration of all Members of this House—the suggestion being that tomorrow we should meet in the morning at 11 a.m. to consider the whole situation. Whether in the afternoon an adjournment motion should be brought forward or not would be a matter for you to consider.

Nawabzada Liaquat Ali Khan (Meerut Division: Muhammadan Rural): I think it is recognised by every one in this House that the situation is very serious indeed. The only objection which the Government seem to have with regard to the discussion of this particular matter tomorrow is that they feel that a discussion in this House might make the situation deteriorate. I do not agree with that proposition of the Government. I feel that a discussion in this House is likely to improve the situation. I was in Bombay last evening. Some of these people who are involved in it met some of the Muslim League Leaders there and they seemed to be very anxious and very keen that a solution should be found and that their legitimate grievances should be remedied and if they come to know that the elected representatives of the people have taken notice of the situation, are cognisant of their grievances and are pressing upon the Government to meet them. I feel that the situation is likely to improve and I don't see why the situation should deteriorate. After all the Members of this House are responsible persons and on this occasion at least I hope that no Member will make a speech for propaganda purposes, because there are the lives of so many hundreds and thousands of people involved. I feel, Mr. President, that a discussion of the situation will improve matters and will not deteriorate it further.

Mr. P. J. Griffiths (Assam European): We, in this Group, feel some hesitation in coming to a conclusion as to the advisability of a discussion tomorrow or not. There is no doubt as to the seriousness of the situation but the practical question is—will a discussion tomorrow contribute to a settlement or exacerbate the trouble? That is an exceedingly difficult question to determine. For my own part I have some doubt. I have a good deal of doubt as to whether a discussion tomorrow may not make things worse. At the same time we recognise the anxiety of everybody in this House on the subject. We recognise that it is natural that the House should want to discuss it. So, in spite of the doubt which exists in our minds, we raise no objection to the holding of a session tomorrow, if other parties so wish.

Mr. President: I think so far as the Chair is concerned now the matter rests on the consent of the Government.

Mr. P. Mason: May I make a suggestion? What I am afraid of is, as I have said, that an open discussion here may lead to a more obstinate attitude and more refusal to discuss and may result in harm being done to the prospects of an early settlement. I would suggest what I understand has been done before in this House and has been adopted in the House of Commons and that is a secret session. We can then discuss the matter freely and the conclusions reached may be placed before the public, if necessary.

Shri Sarat Chandra Bose: The practice of secret sessions came into vogue during the war and is properly applicable to war time. Is the War Secretary seriously of the opinion that what is taking place at Karachi and Bombay has led to a state of war? It is only then that he can talk of a secret session, not otherwise.

Nawabzada Liaquat Ali Khan: A secret session is likely to make the situation worse because everybody will begin to think that the situation really must be terrible if the House had to go into a secret session and that is bound to create more mischief than otherwise.

Mr. P. J. Griffiths: I think a secret session would make things worse rather than better.

Mr. P. Mason: I recognise the point of view of Nawabzada Liaquat Ali Khan.

Mr. President: Is Government agreeable to have a Session tomorrow? The point is that if they want to have a discussion on a separate motion it can be done. Otherwise it will be discussion on the adjournment motion.

The Honourable Sir Edward Benthall: We are not prepared to put down a motion. There is of course an honest difference of opinion as to whether a

debate of this sort, secret or public, will do good or not and Government definitely feel that it will not do good. I adhere to the view which was expressed this morning by both sides of the House that it will be much better in view of the present delicate situation if we thought over it over the week end and have our debate on Monday afternoon. I do not want to go into further details. We would prefer to leave it at that. The Deputy Leader of the Congress Party this morning said that he wished to keep politics out of these questions. I think it is better to keep politics out at this stage.

Prof. N. G. Ranga: You can keep violence out of it.

The Honourable Sir Edward Benthall: Let us discuss this on Monday. So far as the rioting is concerned, it is a provincial matter. It is much better to think over it coolly till Monady afternoon and we might arrange to come to an understanding in the meantime.

Shri Sarat Chandra Bose: Till then your agents and forces will have a chance of massacring hundreds and thousands of Indians!

The Honourable Sir Edward Benthall: It is remarks like this which make me think that it is better if we wait till Monday.

Shri Sarat Chandra Bose: It is because of the hopes expressed thia morning of a reasonable solution that we did not press the adjournment motion today. Otherwise, we would have done so. Our hopes have been dashed to the ground, as you have seen yourself.

Prof. N. G. Ranga: We want the Government to cease fire. Who ordered the firing first?

Mr. President: The question has two aspects, firstly to discuss a separate Motion the whole day. That is one. For that I am afraid it will not be possible for me to appoint a day, unless the Government are a consenting party. Rule 24-A is quite clear on that point. Then, the other course is to restrict the session only to the Adjournment Motion, that is the other course open to me. Does the Honourable Member wish to say anything?

Mr. P. Mason: It only seems curious to me that we should meet only to discuss whether we should adjourn.

Mr. President: Theoretically and technically, it is a bit curious; but the substance of the Adjournment Motion is to have some business before the House for the purpose of discussion. Ordinarily, it is a devise to take something out of the routine business before the House or the Order of the day. In this particular case, that is the only business.

Sri M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): On a point of information Sir. There is business for tomorrow. The House has already been adjourned on the Motion of the Honourable the Finance Member for a sitting for tomorrow. In advance he wants to tell you that he is not going to sit. This House has got to meet formally tomorrow, the Honourable the Finance Member has got to bring the Bretton Woods matter and request the House not to proceed with the same, so that it may adjourn the discussion on that to some other day. Therefore, Sir, I submit we do have to sit tomorrow in the normal course.

Mr. President: I may explain to the Honourable Member my own personal difficulty in the matter. Yesterday, I think it was settled that we should see day or not. Today also when I put the question to the Honourable the Finance what happens today and then consider whether the House should sit on Satur- Member he said it was not possible for him to present the Bretton Wood Committee Report and then I had to say that the House would not sit tomorrow. That was the reason why this Motion was kept off till Monday. There is also the other subsidiary convenience of having two clear days intervening so that we might have more information in the meanwhile. That was how the situation stood. It has now taken a different turn and the House is anxious to have the Motion discussed tomorrow. That is what I find. Of course the European Group is not objecting. I do not mean to say they consent, but at any rate if

[Mr. President]

this Motion is put up for tomorrow, they have no objection to it. That is how I understood Mr Griffiths. Then the suggestion was made that we should have a separate Motion and discuss the Motion the whole day. To that, I pointed out the difficulty of Rule 24-A, that is, that unless the Government are a consenting party, a special Motion of that type cannot be discussed.

Then, the only question that remains is the adjustment of the business of the House, and whether the Adjournment Motion which by consent was fixed for Monday should be fixed for tomorrow or not. That is the only question which to my mind requires decision. I find Para. 3(3) of the Manual of Business and Procedure says:

"After the commencement of a Session, the Assembly shall sit on such days as the President, having regard to the state of business of the Assembly may from time to time direct."

This is irrespective of the consent of the Government and I believe, I have got the power of fixing the session from day to day, once the sitting commences, if the Honourable the Law Member or any Member of the Government has to say anything against this view of mine, he might please enlighten me, I shall consider it.

The Honourable Sir Edward Benthall: If I may respectfully say so, what you say is not right. The para. says:

"Having regard to the state of business of the Assembly",

and there is no business of the Assembly for tomorrow.

Mr. President: It is not the business for the day, it is "business of the Assembly". It can be argued that there is not enough business for the day which is required is the business of the Assembly; that does not mean the business for a particular day. Am I clear on the point?

The Honourable Sir Edward Benthall: We shall of course accept your Ruling.

Mr. President: It is not merely a question of any Member accepting my Ruling. Every Honourable Member is bound to accept my Ruling. But I wish to be sure that I do not commit any mistake in the interpretation of the rules of the Assembly. Therefore, I shall be glad to hear any view, which is contrary to mine. If the rule really means 'for that particular day' or 'any particular day', then the previous wording becomes superfluous.

Shri D. P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural): If the Honourable the Law Member wants to take time to consider this complicate question, he may take time till tomorrow.

The Honourable Sir Edward Benthall: May I make a suggestion, Sir. We shall not in any way question your Ruling if you suggest that this Adjournment Motion should be taken up tomorrow at four of the clock. I suggest that seeing that there may be some irregularities in that, you might permit Mr. Mason to make a statement at the opening of the Session and again permit him to speak again at the end, so that the House may be in possession of full facts.

Mr. President: With pleasure. Of course the idea is to thrash out the whole subject with a view to helping a solution. That is what I gather. The words used here are 'the state of the business of the Assembly'. That also means not only the volume of business, but also the importance of the business; and in view of the importance of the business, and practically the unanimous wish of the elected portion of the Assembly, I should like to fix the Motion for discussion tomorrow.

Nawabzada Liaquat Ali Khan: Apart from that, from what the Honourable the Leader of the House has said just now, there is business for tomorrow. The War Secretary is going to make a statement before the House and after that the Adjournment Motion will be taken up.

Mr. President: That was corrected by him. The House ought to be really thankful to him.

Nawabzada Liaqaut Ali Khan: We are.

Mr. President: The next question is at what time do we meet?

Shri Sarat Chandra Bose: May I suggest—my Honourable friend Nawabzad Liaquat Ali Khan anticipated me in what I was going to say—that the Government have now decided to place some business of their own before the House We are prepared to receive and hear the statement of the Government on th subject. We should certainly meet for that purpose, at least one hour earli than the time ordinarily fixed for Adjournment Motions. That is my sugge tion.

The Honourable Sir Edward Benthall: With due respect, Sir, I never sai that Government was placing any business before the House. The Governmer are only trying to meet the convenience of the House.

Shri Sarat Chandra Bose: The Statement of the Government means that.

Mr. President: I did not mean to interpret that Government undertook t place some business before the House. If the Adjournment Motion was to b fixed as I indicated by the remarks I made, the Honourable the Leader of th House wanted to have permission for Mr. Mason to make a statement. Othe wise, perhaps he may not have sufficient time during the course of the debat on the Adjournment Motion. That is how I understood the Government pos tion, not that the Government were going to place any business before th House.

May I know how long Mr. Mason proposes to take over the statement h will make?

Mr. P. Mason: It all depends upon the amount of news I get but it migh take 15—20 minutes.

Mr. President: Then we meet at three of the clock and take up the Adjourn ment Motion, as soon as Mr. Mason's statement is finished, so that we ma not have to wait unnecessarily in the meanwhile. We will continue the Adjourn ment Motion for two hours from the time Mr. Mason concludes his statement

Srijut Dhirendra Kanta Lahiri Choudhury (Bengal Landholders): I want t be clear. If Mr. Mason drags on his statement till four of the clock, th Adjournment Motion itself should be taken up only after that and it shoul run for full two hours.

Shri Sri Prakasa: We have the precedent of Adjournment Motions bein taken up at half past two of the Clock in the afternoon. This happened durin the first few days when the Assembly met this session. Why not following tha practice meet half past two and then have the statement of Mr. Mason.

Mr. President: I think the later the better. The sense of the House seem to be to meet at three o'clock The House is adjourned till three o'cloc tomorrow.

The Assembly then adjourned till three of the Clock on **Saturday, the 23rd** February **1946.**

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LEGISLATIVE ASSEMBLY DEBATES

SATURDAY, 23rd FEBRUARY, 1946

Vol. II—No. 9

OFFICIAL REPORT

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LEGISLATIVE ASSEMBLY

Saturday, 23rd February, 1946

The Assembly met in the Assembly Chamber of the Council House at Three of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

SITUATION *RE* STRIKE AT BOMBAY AND KARACHI BY R. I. N. RATINGS

Mr. President (The Honourable Mr. G. V. Mavalankar): The Honourable the War Secretary will make his statement.

Mr. P. Mason (Government of India: Nominated Official): Sir, I am very glad to be able to say that the hopes which I expressed yesterday have been fulfilled and that the situation as regards the indiscipline in the R. I. N. has practically come to an end. I might speak first about Karachi.

In Karachi as appeared in the press, and as was mentioned in the House yesterday, the most disaffected of the ratings left the shore establishment at Manora and concentrated in H. M. I. S. "*Hindustan*" early on the night preceding. Early yesterday morning Commodore Curtis who is in command there and who had previously been to Manora Island and had spoken to all the ratings there where he was very well received, went to "*Hindustan*" but the ratings there would not listen to him or discuss any surrender. He therefore gave them an ultimatum and warned them that force would be used in one hour's time. Force was used and after twenty-five minutes they surrendered and fell in on the jetty alongside. There were eight men killed. There were six mentioned in the press this morning but two have died since then and 33 wounded. This morning the situation in Karachi is normal. The men on Manora Island have resumed their normal work and are going about their ordinary Saturday routine duties.

In Bombay late last night, or yesterday afternoon, the men in the ships were informed of the means by which they should surrender. They were to show a blue flag as soon as the ship was ready to surrender and it was explained to them again as it had been in the afternoon, as I mentioned yesterday, *i.e.*, the previous afternoon, that the surrender must be unconditional. At thirteen minutes past six this morning all ships and establishments had surrendered.

News during the morning is that the officers have been out to the ships and are back in their ships and I hope, though I am not yet quite certain, that work is being resumed everywhere there.

From the other ports, the situation is much the same as yesterday, *i.e.*, the report we got early this morning was that a number of ratings were demonstrating in sympathy with those in Bombay but they did not use violence of any kind and there seems to be no reason to suppose that on learning the news from Bombay they have not gone back to work.

I have one very small item of information, which although it is not a very serious matter, I think might be of interest to the House. It is a straw, but it is rather an interesting one. It provides the one lighter element I have seen in this very serious matter. In Delhi, as I explained yesterday, thirty-eight ratings refused to go on duty. One man who was asked whether he would join them was a cook and he said he would join them. He then asked, after saying he would join them, what were the reasons for the indiscipline. He heard that one of the reasons was bad food. "Bad food?" he said. "I refuse to be a party to any demonstration regarding bad food because, the food is very good". And he therefore went back and joined the party who remained on duty. That I say is a very small point but it indicates I think that many of these men did take part in this strike for reasons which were very insufficient and which I do not think ought to be taken very seriously.

That is all I want to say as regards the news and the facts. Of course I shall speak later on the implications of this in the course of the debate.

Shri D. P. Karmakar (Bombay Southern Division: Non-Muhammadan Rural): May I ask the Honourable Member about the number of casualties in Bombay, Castle Barracks and outside? Regarding Karachi he has . . .

Mr. P. Mason: I am afraid I have not yet got the figures of the casualties in Castle Barracks. I have the casualties on the side of the officers and the Army. One R. I. N. officer died of wounds. One R. I. N. V. R. officer was killed by a bullet—that is in the civil rioting. One R. I. N. and one Army officer wounded, and eight other ranks wounded. On the side of the R. I. N. ratings I have no information but I believe, Sir that the casualties were very small indeed and considerably smaller than in Karachi.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): May I know whether the attention of the Honourable Member has been drawn to a report in the "*Hindustan Times*" that 200 were killed in the siege on Thursday on Castle Barracks? Is that true?

Mr. P. Mason: I believe not.

Sri M. Ananthasayanam Ayyangar: What is the official estimate?

Mr. P. Mason: My estimate is that it is smaller than in Karachi.

Sri M. Ananthasayanam Ayyangar: May I know what it is—15 or 16?

Mr. P. Mason: I explained that in Karachi there were eight killed and thirty-three wounded and I think in Bombay there were considerably fewer casualties.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Who were the 200 reported as killed by the paper, if not ratings?

Mr. P. Mason: I am afraid I am not responsible for what is reported in the paper.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): May I know if the broadcast as reported to have been given by Admiral Godfrey is correct?

Mr. P. Mason: Would he repeat the question?

Shri Mohan Lal Saksena: I want to know if the text of the broadcast made by Admiral Godfrey is correct?

Mr. P. Mason: I think it is. I would like here to explain something of which I was not aware when I spoke yesterday and that is that Admiral Godfrey asked for permission to broadcast and he said what he intended to say: but the sense of what he intended to say was very different from the impression which that broadcast gave. I myself read the broadcast in the same way as Members on the other side of the House. It was only afterwards that I learnt that he had worded it quite differently when he asked for permission and his actual intention when he spoke of "the destruction of the Navy, of which we are all very proud," was not the physical destruction, but he meant the collapse of its prestige and all its achievements. . . . . .

Seth Govind Das (Central Provinces Hindi Divisions: Non-Muhammadan): Has it been ascertained whether the abuses which Commander King is said to have uttered were actually uttered?

Mr. P. Mason: As I have explained yesterday that will be the subject of an enquiry and I think it would be a great pity to try to reach conclusions on that subject on the kind of data which we get by telephone and in the press.

Mr. Manu Subedar: Is it a fact that those boys were kept without food for a whole night?

Mr. P. Mason: Yes, Sir. While they were in a state of indiscipline and were promoting an armed insurrection, food was not supplied. It would have been fantastic, it would have been quixotic to a degree, which would surprise even this House to help them then.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): May I know from the Honourable Member whether after these ratings had surrendered at Karachi

they were roughly handled by the authorities, they were locked up in a cell for the whole night and they were released this morning? Is it a fact that they were kept without food?

Mr. P. Mason: I am not quite sure which ratings the Honourable Member is referring to?

Seth Yusuf Abdoola Haroon: At Karachi. I am referring to the '*Hindustan*'. Then these ratings surrendered after they were shelled, they were taken to Manora, where they were locked up and kept without food till this morning and were released this morning and only one cup of tea was given to them. Is this a fact or will the Honourable Member assure this House that he would make an enquiry into this matter and let us know?

Mr. P. Mason: All the 300 ratings from the '*Hindustan*' were certainly placed under arrest and are still under arrest; but I do not know, I am afraid, about the quantity of tea they got or the details of their treatment: but I will make enquiries.

Seth Yusuf Abdoola Haroon: My question is whether they were handled roughly, beaten on the shore and kept without food.

Mr. P. Mason: As I have explained, I have no information on that point. I think it is very unlikely. My information yesterday was that they had fallen in quietly and I am quite sure that if they had been handled roughly, it would have been brought to our notice.

Mr. Manu Subedar: May I know if Government have given any instructions that after surrender these boys would not be illtreated and that they shall be supplied with rations and every thing else as on the old basis till any enquiry which the Defence Consultative Committee will make?

Mr. P. Mason: Yes, Sir. Since they returned to duty they will of course receive normal rations and food and I hope . . . . . .

Mr. Manu Subedar: Have Government issued any instructions . . . . . .

Mr. P. Mason: Let me proceed, Sir. And I hope that in Bombay all are back to their normal duty and receiving their normal food and other amenities.

Mr. Manu Subedar: May I know whether Government have already given any instructions? If not, will my Honourable friend say that they will give such instructions from now, that not one of these men was to be illtreated or otherwise deprived of any of the facilities normally given to them until the result of the enquiry by the Defence Consultative Committee is published.

Mr. P. Mason: I certainly could not give such an order. I should like to explain that in the whole of this matter a very considerable decentralisation is absolutely essential. It is impossible to control a situation of this nature from Delhi in every detail. It would be impossible to say exactly what is to be done in every individual case and in fact very wide powers have been given to the G. O. C., who has been placed in command of all forces sea, air and land. He has been given an intimation of the Government's policy, which is as I was about to explain rather later in the day, that there should be no victimisation and no mass punishments of any kind. It will be quite unnecessary to give orders that food and water should be given to the men as soon as they returned duty.

Mr. Manu Subedar: Am I to gather that this Government have no authority power to give the kind of instruction which I am suggesting? Is it a fact that is Government have no power and such orders, if any, must come from the United Kingdom?

Mr. P. Mason: No, Sir. Of course we have the power to give those orders t it would be extremely silly to do so, because it would give no power and no discretion to the officer on the spot.

Mr. President: The Honourable Member wished yesterday to make a statement. He said that he would say whatever he has to say after which the

[Mr. President]

adjournment motion will be moved. Has he any particular objection to make the statement, so that there may be no questions and answers and the debate also will be guided by what he says otherwise the discussion may be in the air. If he makes a full statement, I think it would be better.

Mr. P. Mason: I should speak now as if I were speaking in the debate and make a complete statement of policy and then perhaps I will have the right to answer at the end of the debate?

Mr. President: Yesterday we had arranged that the Honourable Member will make a statement and after his statement is finished, we will take up the adjournment motion. If he now makes his full statement, whatever time he takes for it, then the adjournment motion will be moved and then certainly he will have an opportunity to reply.

Sir Cowasjee Jehangir (Nominated: Non-official): Sir, the difficulty arises in regard to the timing. An adjournment motion is given two hours for discussion. Let it be clearly understood that the statement is outside the two hours.

Mr. President: That is what I said. That is what was arranged yesterday. The Honourable Member himself wanted about 20 minutes and I am prepared to give him more time if necessary. It seems that there is a lot of questions and answers and so instead of carrying on questions and answers, let him make the statement.

Nawabzada Liaquat Ali Khan (Meerut Division: Muhammadan Rural): I thought that the statement which the Honourable Member was going to make was with reference to the latest position with regard to this particular question. And now do I understand that it is your desire that the Honourable Member should give out the whole policy of the Government with regard to this matter and is it understood that after that statement is made the adjournment motion may not be moved?

Mr. President: That is not my intention. Of course that does not mean that the Honourable Member will necessarily wish to move the adjournment motion. The statement to be made by the Honourable Member is a specific item on the agenda independently of the adjournment motion. The suggestion which I made was that if he makes a full statement, whatever he wishes to state as to facts or policy, that will help the discussion of the adjournment motion. If all the facts, including what happened at various places, and also the policy of the Government in this matter, are before the House, the adjournment motion can be discussed much better.

Nawabzada Liaquat Ali Khan: In other words, it would mean that the Government are to move the adjournment motion and the House has to reply to it.

Mr. President: It would not mean that.

Mr. P. J. Griffiths (Assam: European): The object of an adjournment motion is to censure the Government. Surely Government is entitled to know what the charges are before they are expected to meet them.

Mr. President: My object is this. As I have said before it is no use discussing the motion in the air. Let us definitely know what the facts are, what the policy of the Government is and then the adjournment motion will be taken up

Nawabzada Liaquat Ali Khan: The Honourable Member who is going to move the adjournment motion is not going to waste the time of the House by talking in the air. He must have some facts to be placed before the House and therefore I think we would like to hear what is it that the Honourable Member who wants to move the adjournment motion desires the House to consider, and then the Government would lay down their policy. The object of that statement was only to state the facts with regard to the situation as it existed today, so that when we are speaking on the motion we know what the facts are. Without knowing what is the object of the adjournment motion and what is it that the Honourable Member wants this House to decide and on what particular

matter of policy or facts, I think—subject to whatever you decide and the Honourable Member in charge decides, it would be better if we know what is it that the Honourable Member wants to say about the adjournment motion.

Mr. President: Let me finish with the Honourable Member first. Perhaps the Honourable Member is speaking without the context of the proceedings of the House. When leave for the adjournment motion was asked for, the Honourable Mover or the intending mover, to speak more correctly, has said whatever he wanted to say. In the afternoon also, something was said and then it was stated by the Honourable the War Secretary that he would make a statement to the House about the facts. But he shortened his statement; he referred only to Karachi and then said that he would say whatever he wanted to say at the time of the adjournment motion. Thereafter I found that many Members were keen to have more information. It is therefore that I suggest that whatever information the War Secretary has, let him give it. The adjournment motion is already there. The wording is there. I believe Honourable Members have seen what has appeared in the press and heard what was spoken in the House yesterday and therefore it is better for the purposes of discussion that the full statement should be made first. When I said of talking in the air, it did not mean talking without any facts at all. But we certainly expect to be in a better position if we know all the facts—not only about the happenings but also about the policy. The Honourable Member will know further that a period of one hour was separately kept for this purpose. We have met at 3 just to enable the Honourable the War Secretary to make a full statement of everything, and it was settled that after he makes a statement the adjournment motion will be taken up as soon as he finishes. That is why I made that suggestion to him and still I have left it open to him to make such statement as he likes. I personally think that, instead of taking any more time because at 4 P.M. we must take up the adjournment motion, it will be better if the Honourable the War Secretary is allowed to make his statement.

Nawabzada Liaquat Ali Khan: The only point I want to place before you is this. In other words it would mean that the Government would lay down a pre-conceived policy and plan with regard to this matter without listening to the arguments on this side of the House and then it may be difficult for the Government, after having made a declaration of their policy and their plan with regard to this particular matter, to go back on it. All that I am saying is that the Government must know first what is the feeling of the House, what are the facts and what is it that the Members of the House want the Government to do. After that they should tell us how far they are ready and willing to meet the wishes of the Honourable Members of this House. That is why I was making this suggestion that the Government should know first as to what it is that we want them to do, and then let them consider, decide and make a statement to this House as to how far they are willing to accept the proposals, the suggestions and the recommendations of the Honourable Members of this House with regard to this matter. That is the reason why I said that if the Government make a declaration of their policy which necessarily must be pre-conceived because they do not know what is it that the Members of the House want, then it will be difficult for them to retrace their steps.

Mr. M. Asaf Ali (Delhi: General): I would like to invite the attention of Nawabzada Liaquat Ali Khan to the agenda which happens to be before him. If he will be only so good as to look at it he will find that the very first item on the agenda is:

"Mr. P. Mason to make a statement on the situation relating to Indian ratings in Bombay, Karachi and elsewhere."

Nawabzada Liaquat Ali Khan: Which has been done.

Mr. M. Asaf Ali: If Mr. Mason does not want to make any further statement then it is quite obvious that we have to take up the adjournment motion. At 4

[Mr. M. Asaf Ali]

happens, the wording of my adjournment motion also ought to be before t Nawabzada. The wording of the adjournment motion happens to be:

"To discuss the grave situation that has arisen in respect of the Indian Navy, affect practically the whole of it, as a result of mishandling by the immediate authorit concerned."

Nawabzada Liaquat Ali Khan: Tell Mr. Mason what the mishandling is.

Mr. M. Asaf Ali: There was a considerable amount of discussion yesterd when unfortunately the Honourable Member was not in the House.

Nawabzada Liaquat Ali Khan: I was in the air at the time.

Mr. M. Asaf Ali: It is time that he came down to solid earth. There w considerable discussion yesterday in the House, and it was more or less deference to the wishes of the Government and the difficulties which the Go ernment were feeling in having a discussion yesterday, that I agreed to t postponement of my adjournment motion. In fact, the adjournment motion which I had given notice was postponed to Monday. But, in the course of t day other news came through which naturally precipitated the advancing of t time of the adjournment motion and I insisted that it should be taken up toda And that is why we happen to be here today. Personally I feel Sir that y have indicated what is eminently reasonable under the circumstances becau if Mr. Mason can make a statement, a comprehensive statement on the who subject, the discussion on the adjournment motion will be properly regulate It is not as if the Government do not know what the House feels. It is not if the Government are unaware of the facts of the situation. They know exact what we are complaining against. They know what we are going to condem if we are going to condemn them at all. Therefore, it is better that Mr. Mas should make a statement now and allow us an opportunity of giving the Gover ment a piece of our mind.

Mr. President: I do not think any further discussion of the question is no necessary. I must make it clear that I do not view every adjournment motic as necessarily a censure motion.

Mr. M. Asaf Ali: It may not be.

Mr. President: It may or it may not. The idea is to bring into discussic some important subject. I need not dwell on the utility or the exact scope adjournment motions in general. That is one thing.

Assuming that the Government have come to any pre-conceived policy of the own, I do not see why it should be difficult for any Government to change it afte hearing the views of the House. I do not think that any decisions which an Government take are necessarily of such a nature that they cannot be changed if once disclosed. On the contrary, to my mind, it will be more for the benefi of the House to know what their views are and then express their reactions s that the Government will have an opportunity of their policy being criticised an then changing if they deem it proper, their policy in the light of the discussion of the House. I personally hold that view. I do not know what the policies o the Government are and I am not concerned with them. Therefore, in th interests of a better discussion of the subject and in the interests of all, I cal upon Mr. Mason to make a statement. But I have left it to him to make i long or short and settle the contents of it as he wishes, as Mr. Mason is th best judge of it. I have assured him that I shall give him as much time as h wants and in addition to that, he will have an opportunity of replying, when th adjournment motion is taken up. His time will be outside the time of th adjournment motion.

Mr. P. Mason: Sir, I had hoped to give the facts regarding Bombay and Karachi before the House and I had intended to speak during the debate on th question of policy. But since it is your wish and perhaps also the wish of th House . . . .

Mr. P. J. Griffiths: No. It is the wish of one party. Sir, I think there is a good deal in what Nawabzada Liaquat Ali Khan said.

Mr. P. Mason: Sir, I am entirely in your hands.

Mr. President: I think the Honourable Member should make a statement now.

Mr. P. J. Griffiths: Is it to be a statement or an argument as well? If it is a statement well and good, but if it is an argument it should be made after the adjournment motion has been moved.

Mr. President: The statement may contain facts and arguments. A statement does not necessarily exclude all arguments and, as I have suggested it will be for the Honourable Member to make his statement as he likes.

Nawabzada Liaquat Ali Khan: Just now, Sir, you said that you thought he ought to make a statement. Do I understand that the Honourable Member should make that speech which he was going to make during the course of the discussion now, before the adjournment motion is taken up? He has nothing more to say with regard to the facts: it is only with regard to the adjournment motion now that he has to say something.

Mr. President: I think the matter has been sufficiently argued. We need not pursue it any further.

Mr. P. Mason: That is exactly the position. This is in fact the speech that I was going to make on the adjournment motion. I will now make it—I have a right to speak again.

I have had to speak in the House a number of times during this session, and I have had to speak on subjects of the most serious importance; but I do think that in a way this subject is perhaps the most serious of all; because to my mind the possibilities of danger for the future of India implicit in the subject that we are discussing are even greater than in the other very serious subjects which we have talked about during the last month. I was afraid yesterday that a debate today might lead to a hardening of the attitude of those who have been guilty of indiscipline and that that might lead to a prolongation of the struggle which could only be bad. But I am glad to say that that immediate danger has now passed and they have returned to work in most cases. But we are faced, I think, with a still more serious danger regarding the future. This is not the only incident of this kind that has taken place. It is much the most serious, but it is not the only one and I do feel that the attitude of the House towards this question may have a very big influence on the future and on what the armed forces may do and feel in the future. That is why I say I think this is such a very serious and important subject; and while I also speak on it—I hope with a very deep sense of responsibility which I am sure is shared by all parties—I would ask the House to consider the decision to which they come on this motion very carefully indeed for this reason.

I am conscious in discussing this question and also those other questions which are referred to and which are so very controversial—Java and the I. N. A.—I am conscious of the immense divergence of opinion that exists between this side of the House and that, and I think it is best to recognise that that great difference does exist and for each of us to try as much as we can to understand the other's point of view. I do, I hope, try to understand the point of view of that side of the House, and I would ask them to try in the same way to understand ours; and in both those cases and in this—particularly in the I. N. A. case and in this it seems to me that there is a great rift of opinion between us which is partly due to the fact that I think on that side of the House you rather forget, or so it seems to me, the difference between the civil point of view and the military point of view. On this question there is the tendency to refer to these acts of indiscipline as strikes. In fact they are always called strikes in the papers and by the persons concerned in them. I was taken to task yesterday, perhaps quite rightly, for referring to them as mutiny. When I say 'rightly', I do not think that they are not mutinies, because technically

[Mr. P. Mason]

there is no question that any refusal of duty is a mutiny; but I may perhaps have been tactless in using the word so frequently. But I do want to stress the difference, the immense difference which exists between a trade dispute and indiscipline on the part of the armed forces. I hope, I may not seem to be lecturing the House on this subject for it is really an obvious point; but I feel that it is one which needs stressing because I think it has sometimes been forgotten in the heat of argument. The difference is this; that if mill workers decide that they will not make cloth, while it does bring pressure to bear on the millowners because they do not get their profits, and it brings pressure to bear on the public because they do not get their cloth, it is pressure which is brought to bear fairly gradually and there is time for discussion. But it is a very different matter indeed if the armed forces engaged in indiscipline. I would ask the House to think, with a great sense of thankfulness, of what we have avoided in the last few days. There was a stage in Bombay when the ships got up steam in order to hoist up the 4-inch ammunition and threatened to fire indiscriminately on the town—it must have been indiscriminate—it could not be otherwise. They were, I am glad to say, wise enough to avoid that criminal act. But warships and aircraft and cannon are very dangerous tools and all the equipment of modern war does get steadily more dangerous every year; and if men, because of some grievance, some fancied grievance in some cases, or it may be a real grievance, are to take the law into their own hands and they have those tools in their hands, a very great danger does arise not only of loss of life and property but also because in the ultimate resort power does depend upon the use of force, and those who command that force may get power into their own hands. I hope I have not talked too much on the subject, but it does seem to me to be of vital importance.

I spoke of the fact that this is not a solitary instance and I must acknowledge the fact that this danger is one which threatens us all.....

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): Sir, is this a statement of policy?

Mr. President: Order, order: it is his statement.

Mr. P. Mason: It is a danger which involves all the troops, because we began, I am sorry to say, with indiscipline among the R. A. F. and that led to indiscipline in the R. I. A. F. and that led to this. This last was much the most widespread and it was much the worst, because it involved rioting and violence and shops were looted. But we hope now that the men have returned to work and will carry on; and because this is a matter of such immense seriousness the policy of government will require very careful consideration, and they must undoubtedly consult in this matter the wishes of the people, and I think there is no doubt that this question will be laid before the Defence Consultative Committee and discussed there. I think that should be the first step that we take—to discuss the question with them. Obviously there will also need to be inquiries into facts and the Defence Consultative Committee is obviously not a body which could itself conduct such an inquiry. It seems to me that there will have to be two kinds of inquiries—one purely service, military inquiry and there will need to be a number of them and also I think a very full and impartial consideration of the whole question of how this trouble arose and of the reasons for the indiscipline. For that, I think it will certainly be necessary to consult the whole of the Government. I can only give at the moment the views of the military authorities on the subject and they are inclined at present to the view that with that inquiry members of the legislature should be associated.

Now, Sir, with regard to what is described as victimization, I said yesterday that I shall give no assurance that punishment would not take place and that is still the position but I can say that there will be no mass punishments. There will be no victimization. We shall have to consider the whole case very carefully. I gave you an instance just now of one case in which obviously a man on the most frivolous grounds threw his lot on one side rather than on the other and I am sure that is the case with the majority. They are very young.

Petty Officers and Chief Petty Officers have kept out of the whole business and they have stood fast throughout and in Karachi in particular they were very helpful indeed, so that those affected are mostly very young and I think most of them got excited and were misled and therefore there will be no mass punishments but some one must have misled them and I think it is essential that if that person can be found or those persons can be found and if a charge can be brought home to them Government should reserve to themselves the right to punish such people with the object partly of preventing the spread of further acts of indiscipline and secondly to make the position clear for the future. But in selecting such people and in considering whether or not the charges would justify their being brought to trial or punished, it will be necessary to consider the very electric atmosphere in which we are at present and certainly as far as military authorities are concerned, I can assure the House that the greatest care will be taken to avoid anything which might lead to a general deterioration of feeling.

That is the policy as far as I can explain it at the moment. As I say it will require further consideration and discussion both with the Defence Consultative Committee in the first place and possibly with others and later it will require confirmation by the Civil government as a whole. That, at any rate, is the line on which we are thinking and if we proceed to this adjournment motion, I would once more very seriously ask the House to consider the effects of such a motion, as is suggested. It implies censure of Government, in fact it means censure of Government, and it means that those who have taken part in this indiscipline are not exactly condoned but made to feel that they may have been right in taking the course they did. Well, Sir, there are channels by which any genuine grievance can be brought to light and I do not think any one can say that these men could not have brought these matters to light without taking the action they have taken and I do think that if the action of Government in this matter is condemned, it will be an encouragement to the armed forces to resort to these kinds of measures whenever they feel that they have any grievance. And however well looked after an organisation may be, it is almost impossible to have any body of men who cannot think of some grievance. I now ask the House to consider very carefully indeed what effect that might have on the future, particularly at this very difficult time. My friends on the other side, I expect, will form the Government of the future and they will have to maintain these forces and I do hope that they will do nothing which might lower their efficiency and their discipline at this juncture.

Mr. President: We shall now take up the adjournment motion and shall carry it on till 12 minutes to 6 P.M.

An Honourable Member: Why not till 6?

Mr. President: That is not necessary under the rules.

Nawabzada Liaquat Ali Khan: I would like to ask some question. May I do it now or in the course of the debate?

Mr. President: The Honourable Member can do it in the course of the debate.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Why not wait for 12 minutes, Sir.

Mr. President: Mr. Asaf Ali.

MOTION FOR ADJOURNMENT

SITUATION *re* STRIKE AT BOMBAY AND KARACHI BY R. I. N. RATINGS

Mr. M. Asaf Ali (Delhi: General): I move:

"That the Assembly do now adjourn."

This is to discuss the grave situation that has arisen in respect of the Indian Navy, affecting practically the whole of it, as a result of mishandling by the immediate authorities concerned.

[Mr. M. Asaf Ali]

I was hoping, Sir, that after the statement which the Honourable War Secretary had promised us there would be no necessity for me to ask the House to adjourn to consider the question which I had proposed yesterday but I regret to say that I have not found in the statement made today anything which may justify my not moving this adjournment motion. He has certainly given us some facts and figures which we had already gathered from the newspapers. He has also indicated the course of action which the Government propose to take and I am glad that in so far as the Government have agreed to refer this question to the Defence Consultative Committee, at least one point which had been urged has been accepted. The other steps which the Government propose to take will naturally have to be considered both by the Defence Consultative Committee and the War Department, but these are matters for the future. I am concerned with the conduct of the immediate authorities who were concerned in the case and whose mishandling has resulted in the very grave and serious situation to which the Honourable War Secretary was referring. It is the beginning, Sir, of the trouble that I am concerned with. It shows how utterly unimaginative, how utterly inefficient, how absolutely ignorant of the feelings of their men were the officers who did not take notice of the grievances which were within their knowledge for months together, perhaps, I should say for years together. It is the Indian navy that they are now dealing with. Its history, as all of us know, is a very brief one. This Indian navy is still in its infancy. About six years ago, there were only about six, or perhaps twelve sloops. Since then, it has grown to its present proportions. During the last five years, these boys of the navy, who come from respectable families, who are educated, who are young, (and I am prepared to say that they may also be excitable), have gone through the stress of war, and in these five years, they have seen service, not merely in the Bay of Bengal and the Indian Ocean, but some of them, have seen service beyond the Suez Canal. Perhaps the War Secretary will remember that on one occasion, when landing was taking place in Sicily, at a very critical time, it was this navy that helped them in that landing. Sir, these boys have seen service everywhere. I notice a flicker of smile on the face of one of the Members on the Treasury Benches. He may be wondering how a congressman is talking of these boys taking part in the war, and of their discharging their duties not merely to their own satisfaction but to the pride of Mr. Attlee and others and I am talking about them—yes, I am talking about them, I am quite as proud of these boys as I am of my army, and of my air force as anybody can be. Whatever may have been our attitude towards the war, it has nothing to do with what these boys have done and what these boys are entitled to on account of their achievement in the past. That attitude was on political grounds. What I am saying now is obviously the approach of those who are not looking at the war, but who are looking at the results of the war. The entire mind of these boys has been conditioned during these years of very grave happenings. They have compared things not merely here, but elsewhere, they have worked side by side with the Britishers and with others. They have seen the difference, difference of pay, and conditions of service, difference of amenities allowed to the one and the other, and the behaviour of the one towards the other. This trouble has been brewing for a very long time. It is not a question of a sudden flare up. The sudden flare up most probably came after what I would call a very trifling incident in the life of a navy. But the real trouble had been brewing for some time and it is the neglect of that fact which I am now condemning. This trouble would never have arisen if the authorities had known the feelings of the boys, had known what was passing in their minds, had known what exactly it was that they were expecting. All the time they were hearing about freedom, about national self-respect about national dignity, about freedom of the people in the whole world, and today they find that in their own country, after it has been said by Mr. Attlee and many others that they are proud of this navy for all that the Indian navy has done, small as it may be after all this, they find their

very Commanding officer, King, goes and calls them names, which I am ashamed to repeat here. He treats them in a manner which even others who may not have been so well trained for fighting may have resented and may have retaliated, but perhaps with greater violence than these people did. I do not wish to stress that point. But still here are facts, you cannot run away from them. As for their grievances, they are what would be considered legitimate anywhere. I am not talking of the political demands that they put forward. The political demands may have been brought up, as you know, in the stress of circumstances. They may have said to themselves "Here we must appeal to the whole of our country, to every Party, every person concerned, we, the sons of the soil, we are appealing to our leaders, to our nation and to our people". That is a point to be looked at in its proper context. I am not going to deal with their grievances here and now, whatever they may be. But I must point out one thing that in spite of the fact that they felt this discrimination and this treatment by their fellow subjects of the so called Commonwealth and Empire—treatment by their fellow subjects or fellow officers. After having experienced the air of superiority put on by their fellow subjects, these boys took up that attitude. I think we ought to look at the whole affair in the spirit which it deserves. I need not say anything further for the simple reason that I am as fully conscious of the gravity of the situation as anybodyelse may be. I think I am fully capable of pouring vials of wrath over the heads over there on the treasury benches, I can wither them with the fire of criticism and all the rest of it, I am fully capable of drawing upon a kind of vocabulary which is fairly familiar in this House But the only subject, in respect of which I wish always to avoid it is the subject of the army I am as conscious of it as anybodyelse that the army is to be kept right away from party politics. I have said it before and I repeat it again, I do not want a single man in the army who is not patriotic, I want them to be fully patriotic, but I also want them to be impartially patriotic. They must serve their country, they must serve their people, they must fight for the freedom of their country, whenever and wherever it may be possible and so long as they are animated with these feelings, I respect them. I honour them and as I said yesterday, the entire country will back them to the last man if they fight for national self respect. If it is proved that it is national indignity which they are feeling, I say-all honour to them. But if in

4 P.M. their excitement they have gone beyond proper limits, the whole matter has to be considered calmly, quietly, in a place where we can give our views, where we can hear the War Department's views, and where we can advise the War Department to take the proper steps and not steps which may make a bad situation worse. Sir, not merely this country but the whole world today is in an explosive mood—let us not forget that. It is not this country alone which is in that explosive condition but the whole world is in that state; that is as evident to me as anything can ever possibly be to any one. I see it as clearly as I see the daylight. The War Secretary referred to strikes and the danger of strikes. I am fully conscious of the danger of strikes in the army. But, pray, who started it, and who taught this lesson? Was it these boys who started it? It was the American army which started it; it was followed up by the R.A.F. which gave the cue to the R.I.A.F. and then it was followed up by the R.I.N. It is a chain of incidents that started elsewhere, and therefore to blame these boys alone would, to my mind, be rather out of proportion. It is true that other things have happened—most regrettable things—things which no one regrets more than I do. But at the same time do not lay the blame at the wrong door. I once again say that I wish to exercise as much restraint as possible, although it is extremely difficult in the circumstances to exercise restraint. But my restraint is due to the fact that I realise that today India's ship is nearing the shore,—I am using a simile which was used by Sardar Patel in another place. It is nearing the shore, we are facing great danger, the ship has to be piloted carefully out of the shoals and rocks which lie ahead. It must be piloted as tactfully, as carefully and as cautiously as possible to the shore; and it is for that reason that I do not wish to say anything which may in any way contribute to the deterioration of the situation

Mr. President: The Honourable Member's time is up.

Mr. M. Asaf Ali: Sir, all I can say is this that not one word has been heard in justification of the conduct of the immediate authorities whom I am condemning by this motion.

Mr. President: Motion moved:

"That the Assembly do now adjourn."

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Mr. President, Sir, it is difficult to speak with restraint on this subject, for the reason that I am convinced that if the immediate officers in charge in Bombay, Karachi and other seaports and those at the top, wherever they were, either on the Flagship or at the Naval Headquarters, had been careful and tactful, things could have been stopped and we would have avoided the difficulties facing us. The Honourable the War Secretary used the words "electric atmosphere". That is so, Sir. But may I point out to him that there is another aspect to the problem for which that good German word "Zeitgeist" (spirit of the age) would explain my meaning better? These officers, either of the army or the air force, but particularly of the Royal Indian Navy, immediately after the cessation of hostilities went back into the spirit of the pre-war days when it was considered a legitimate privilege to treat the Indian section of the forces unkindly and disrespectfully. The basis of the whole trouble is discrimination. If I started giving examples—and they are galore—my time would be finished But it is surprising to note here today that the War Secretary has not said one word about the treatment given to the Indian ratings, although in the broadcast and the official communiques we are told that their grievances had not been brought to the notice of the officers and men at the top. The only answer that I can give to this is that the men in charge in the War Department, and especially in its Naval Section, belong to the company of opium-eaters They should have known and should have stopped in time the trouble that has arisen. It is no use appointing committees after the event They admit that these boys were heroes of the war. The Prime Minister of Great Britain also has said that. They admit they are young, they admit that they have seen things which they would not have seen in their villages; and yet was it not possible for them to realise that these boys also possessed a sense of honour and a sense of dignity, and above all they possessed a soul? To kick a man is perhaps easy, but to kick his soul is damnable. The language used for these Indian ratings was, to say the least of it, ungentlemanly I would have liked the War Secretary to tell us that the man who used that language had all his teeth broken, in the sense that he had been kicked out of the navy for using language to the heroes of a war which was not mine but somebody else's The language used for these heroes, to say the least, was gutter language

The Honourable Sir Edward Benthall (Leader of the House): Sir, has it been proved that this language was in fact used?

Several Honourable Members: It has not been denied.

Mr. Abdur Rahman Siddiqi: I would have been glad if the Honourable Leader of the House or any of his colleagues on Government benches had got up and said that the published report is not correct. If it is not correct, the officer is absolved; but, if it is correct, what have they done? We have been told that there is a difference between a civil strike and a military strike, which is called technically a mutiny. I agree, Sir, that the technical language is mutiny, but I should like to know what was done to stop this mutiny. Did the people at the top or in Bombay, Karachi and elsewhere move their little finger to avoid this mutiny before it began. I agree with every word of the homily the Honourable the War Secretary has preached us regarding the difference between civil and military affairs. Sir, I consider that our boys, for whom he used the words 'excited and misled' were excited and misled; they should not have done what they did; they should not have acted as they did. But may I ask the Honourable the War Secretary or the folk on whose behalf he is speaking here today, who provoked them to it? These boys who could

do their duty in the war, did not go mad all at once over-right; why did they commit the acts to which exception is being taken whether in Bombay or in Karachi. Mr. President, these boys have behaved as any group of young men would have done and our boys had a greater justification to behave as they did, than men of the American and the British forces because here besides being members of the force and having rendered meritorious war service they have received, instead of rewards, instead of kindness, unkindness and kicks.

Sir, the statement, or the arguments, or whatever name we give to the speech delivered by the Honourable the War Secretary, was halting and half-hearted. It created the impression on me that he himself did not quite believe in what he was being asked to say. He went a step forward and said that these poor misled boys were being egged on to do what they had done by people who were taking advantage of their youth. It may be so, but I should like to know what the Army Department or its sister department, called the Home Department, have done to find out the people who are instigating, encouraging and misleading these boys. They sit silent and then when trouble comes we are told that a committee will go into it. We are promised a thousand and one things which usually never happen and action is never taken upon the recommendations made. Whenever, Sir, as I have said before, a thing has to be shelved, send it to a committee. The military are expected to take action immediately wherever there is anything wrong and yet they have taken no action except to arrest these boys, to stop their food and to stop their water, until, as the Prime Minister of Great Britain said, yesterday, they surrendered unconditionally. Unconditional surrender in other parts of the world has aggravated human misery and if these people stand on their false prestige, if these people do not realize that India has undergone a change, that the worm too has turned, I am sure things will become worse and worse. We are out for a new order and a new world and unless and until these people have decided to adopt the fundamental principles of the spirit of the age, we are going to pass through a long period of trouble. I remember, Sir, in the Bengal Assembly when Mr. Fazlul Huq, was ruling us with Mahasabha Assistants, the leader of the European Group in one of his speeches got up and said, "Govern or get out". May I also tell the Honourable Members to my left "Govern or get out". and the government that is in my mind is government in the interest of Indians. Your age has finished; a new age has dawned, and unless they go with the spirit of the age, I see trouble, I see misery for my own countrymen as well as for those who would like to crush them

Sardar Mangal Singh (East Punjab: Sikh): I have listened to the speeches of both the Honourable the War Secretary and the Deputy Leader of the Congress Party. After hearing them I have no hesitation in supporting the motion that is now before the House. Honourable the War Secretary has talked of discipline and indiscipline and talked of various other things, but he has not said a word in defence of the conduct of the immediate officers who are the subject of condemnation by this motion. The country should be thankful to the efforts of Sardar Vallabhbhai Patel on whose advice the country have been spared widespread bloodshed, but I would like to warn the Government of India that they should not feel complacent about it; the Government of India should not think that the trouble is finally over. I warn the Government to understand the background of this trouble. This trouble in all these places is due to continued racial discrimination which is practised throughout the War Department. All those gentlemen who have any practical experience of the War Department, in the Navy, the Air Force, or the Army, will bear me out that at every step you meet with the most atrocious racial discrimination in the administration of the defence forces. I therefore would like to ask the War Secretary to examine this question very carefully and remove this racial discrimination from the administration of the Defence Department. The leader of the strike at Bombay has clearly said that for months past they have been requesting the authorities to listen to them but the average military officer thinks that the Indian airmen, sailor, or soldier, is a mercenary and he is always at his beck and

[Sardar Mangal Singh]

call. He does not understand or realize that he is a citizen in uniform. He lacks that feeling and therefore there is this trouble. These educated young boys, they have seen actual warfare and in actual warfare they have also seen that they are equally fighting and they can do every job equally as well as the British soldier and the officer. But in the matter of treatment, they are getting very unequal treatment. It is here that the shoe pinches. It is a protest against this continued practice of racial discrimination in this Department. I would request the Honourable the War Secretary to examine this question and keep that in mind.

About the conduct of the immediate officers, the strikers complain that Commander King misbehaved. They were dissatisfied with his conduct and they did not ask for any Indian officer. They said that their previous Commander should be sent back. The authorities did take some action after that and after some time Vice-Admiral Godfrey went there and he again used language which should not have been used. He talked on the air using bullying language and he went so far as to say that he would not hesitate to destroy the whole Indian Navy, as if the Navy belonged to him personally or belonged to his grandfather! This Indian Navy has been built up by the toil and money of the taxpayers of this country and no Commander-in-Chief, no Admiral has the right to get up and say that he will destroy this Navy. I expect the War Secretary to get up in reply to this debate and dissociate his Department completely from the broadcast of Vice-Admiral Godfrey and it was due to this bullying broadcast that yesterday's bloodshed took place otherwise things would have improved. I do realise that probably His Excellency the Commander-in-Chief saw the mistake and removed him from command and put General Lockhart there in command of the situation. But that will not do. I want the War Secretary to get up in this House and publicly and unambiguously dissociate the Government of India from that broadcast so that in a similar situation in future no other officer will behave like that.

I am glad, Sir, that the Honourable the War Secretary has assured the House that there will be no victimization so far as Bombay or Karachi naval ratings' strike is concerned. I am also glad that he has given the assurance that there will be no mass punishment. But there is one point on which I would like the Honourable the War Secretary to make quite clear that no punishment would be given even to individuals before the matter is taken up by the Defence Consultative Committee. On this point he was not clear, or at least I did not understand him to make that point clear that no case would be taken up individually before this matter is brought before the Defence Consultative Committee. He did say that there would be a public enquiry into the whole affair and in that enquiry the Members of the Central Legislature would be associated. So far so good. But I would like the Government of India to review the whole question of the reorganisation of the Indian Army because it is inherent in the composition and organisation of the Indian Army that racial discrimination is always kept there. The very composition of the units is based on mistrust. In every regiment there are sections, there are companies of different racial sections. The Honourable the War Secretary shakes his head, but I would like to assure him—give me any unit, any regiment . . .

Mr. P. Mason (Government of India: Nominated Official): 11th Sikhs, 18th Garhwal Rifles, 17th Dogras . . .

Mr. President: Order, order. I am afraid the Honourable Member is going much more into details than he should on this occasion. That is a wider question which we need not touch here.

Sardar Mangal Singh: I was making a point that the whole trouble was due to racial discrimination which was being maintained on this subject. Unless that goes I can assure the House this trouble will not be over. Those days are gone when the people in the old army knew only to salute and nothing else. But now the position is changed. Educated people are going there. They are

taking an active interest in the politics of the country. Therefore you cannot deal with them as if they are machines. They are human beings and the human factor should be taken into consideration. If I know that in my country I am being discriminated against a foreigner, I think such a Government which maintains such discrimination has no claim on my allegiance. I will have the right to revolt against such a Government. He is talking of discipline and indiscipline in the army! If any Government has any right to claim my allegiance and discipline in the army that Government should inspire confidence, that Government should stand for my rights. If I am ill-treated and if I am discriminated against in my own country, I have every right to rebel against that Government. I therefore submit that when the enquiry is ordered into the strikes of the naval ratings of Bombay, the whole question should be taken up and re-examined so that such a trouble may not recur.

Sir, I support the motion.

Mr. M. R. Masani (Bombay City: Non-Muhammadan Urban): The background to my remarks this afternoon is a statement, I was glad to see as I came into the House, by Maulana Abul Kalam Azad, the President of the Congress, that he had the Commander-in-Chief's authority to assure all persons concerned that there would be no victimization or vindictive action taken and that all legitimate grievances would be sympathetically examined and redressed. It is this which makes me resolve to exercise the same self-restraint that has been exercised by previous speakers this afternoon.

The first point that I would like to make is about the grievances of these men. I am sorry to say that the Government of India have misinformed the British Prime Minister as to the position because, according to a press report, Mr. Attlee said in the Commons that those grievances had not been previously presented. That Sir, is not true. I shall make this statement,—that in the past few months Naval Headquarters in Delhi have from time to time received reports and complaints in regard to pay, food, clothing allowances, and leave and travel facilities given to ratings in my city of Bombay. The statement that has been issued by the Central Strike Committee of the strikers says this:

"We have all of us been in the Indian Navy for several years. During this time we have been undergoing untold hardships, low pay, bad food and the most outrageous racial discrimination. With the end of the war the problem of demobilization and resettlement has come face to face for thousands of us. We have at innumerable times made representation to the authorities for the redress of our grievances, particularly against racial discrimination and for equality of treatment, a demand which every self respecting Indian patriot will completely support, but the authorities never listened to it. Therefore, following the example of our brothers in the Royal Air Force, we decided to go on strike and for the last five days we have been on a peaceful, disciplined and organised strike."

That was the issue some two days ago. The grievances which have been simmering for a long time have now blown up as a result of the offensive behaviour of Commander King and the arrest of two of the naval ratings' comrades. Then there is the ill-treatment of the ratings generally, the insulting attitude of Commander King. Where are then the subjects of food, of clothes, of leave and travelling facilities and the invidious discrimination made between those who are to be demobilised—the people of this country and those who are British. And there are the very ambitious, almost utopian plans of resettlement training for British personnel that are in force in our country. I do not know if they are at our expense, I am open to correction there. But in this country there are ambitious, comprehensive plans of resettlement training for British personnel, while the plans for resettlement of our own ratings are still on paper.

Another major cause of these disturbances is the feeling of insecurity among the ratings. When the war neared its end in September, 1945, there were 3,000 officers and 28,000 ratings in the Royal Indian Navy. After that, three postwar plans have been made, I understand. Here again, my Honourable friend opposite will correct me if I am wrong. I can only give third hand information, unlike him. I understand that the first postwar statement said that 900 officers and 9,500 ratings were to be demobilised, leaving a force of 18,500. A second plan replaced this plan and, according to that only, 18,000

[Mr. M. R. Masani.]

men were to be retained. And the third plan, the present plan, stipulates f only 11,000 to be retained. The result is that a feeling of fresh insecurity created each time, in the minds of these men and, since demobilisation has bee proceeding slowly and arbitrarily, they feel that whatever few civilian jobs ma be going will all be exhausted by the time they are released from their commi ments. The fact that the small number of 11,000 is to be retained is most di tressing, particularly in view of the fact that three cruisers have been take over by the Royal Indian Navy from the British Navy.

Another factor that makes for irritation is that, while on the one han hundreds of Indian Officers and thousands of Indian ratings are to be demobilise three hundred British Royal Navy officers are being transferred to our establish ment. These are some of the very specific grievances of which Naval Hea quarters have been aware for a long time.

The trouble, Sir, is that according to naval law you must either take thing lying down or ask for redress individually, because I am told that any combine representation is unlawful in the Navy. Every man must be for himself an will be dealt with as an individual. That makes it extremely difficult for th peaceful redress of grievances to take place and men who are frustrated an whose grievances are unredressed are driven by the conduct that Commande King indulged in to take the extreme step. The *Times of India*, which nobod will accuse of being an irresponsible paper, has this to say about the blunders o the Government of India today:

"On the face of it, these performances have been far from creditable to all concerned In principle, resort to such methods by military personnel is inexcusable: in practice it very occurrence and in some respects the grounds for dispute reflect deplorably on the dis cipline and command of the units and forces concerned. Discipline and command, be i noted, are no mere matter of rigid obedience or enforcement of authority; they equall comprehend close understanding between officers and men—the constant concern of th former for the reasonable interests and comfort of the latter."

The motion today is to censure the naval authorities for failing to ensure thi close understanding between officers and men and for their lack of concern fo their interests and their comfort, which was their duty.

These naval incidents have led to a situation in the city which I have th honour to represent here, which must cause concern to every one of us. Accord ing to newspaper reports, 98 people have been killed and 406 people have beer injured and admitted to hospital. These figures are not generalisations. They are the addition made of figures submitted by about four or five hospitals ir Bombay. If they were challenged, I would have no hesitation in reading them

My Honourable friend said that it was necessary that the two points of view and the gulf that separates them should be understood and explained and I shal make bold, in the same spirit in which he has done it, to try and ask him to examine this question. Why is it that these persons, whom he has chosen to call 'Mutineers', have the unanimous support of the citizens of Bombay? It is on record that the Bombay Municipal Corporation adjourned as a mark of sympathy with the naval strikers. It is on record that the Bombay Provincial Congress Committee has passed a resolution sympathising with their grievances. It is on record that the Royal Indian Air Force in Bombay are also on strike in sympathy, and the students and workers have also come away from their normal avocations. Things may happen which we do not like, but why is it that the average Indian has reacted in the way he has done and expressed his sympathy for the cause of these men? I make bold to say that the difference is not between the military and civil discipline. Our conception of discipline is different, because the contrast is between Indian and British conceptions. That is because we do not accept the moral basis of your authority. Your law is not law to us, because it has not got the sanction of the people of this country behind it; and that is why when your military or civil law is broken, every one of us instinctively reacts with sympathy for the rebel. In other words, to come down to fundamentals, the real cause of this mutiny is the existence of British rule in this country. We have got to get down to bed-rock. It is not a matter

of food or clothing. The fact remains that, so long as there is alien rule existing in this country, you cannot get that discipline, that loyalty to the navy and to its flag. And what flag? The Union Jack! I can imagine the irritation it must be every day to any average Indian boy to have to hoist a foreign flag. Until their own flag comes, that loyalty which my Honourable friend expects will never be forthcoming.

Sir, my Honourable friend will say "Oh, we want to go". I can then only say: "You have lingered too long. You have lingered so long that you are bringing our edifice down in ruins. You have given reign to every disruptive tendency in this country, disruptive of our nationalism. Who are the people who called out the Bombay workers in defiance of the Bombay Provincial Congress Committee? It is the Communist Party, your wartime allies, whom you fostered, whom you gave every facility, because you wanted to disrupt, our nationalism during the period of the war. Now that you have fallen out with their principals in Moscow, they have turned against you. That is why I make an appeal to you to go while there is still an army, a navy and an air force in this country intact. And so the sooner you go, the better for this country."

Now I want you to understand the situation. Unconditional surrender was demanded according to Mr. Churchill, of only two bitter enemies—Hitler and Tojo. And now to these two, the Government of India have added a third, our own naval boys. These are not enemies. The flag they fly is not the Jolly Roger. It is the tricolour of the Congress and the flag of the Muslim League. These are the flags of the people of this country. They are not the flags of pirates or of irresponsible people. And if our boys in their teens do go off the deep end and indulge in unwise actions, I will not call them mutineers. They were only unwise, but their motive was to assert their self-respect. If these boys indulged in unwise actions, Vice-Admiral Godfrey also indulged in actions that smack of extreme irresponsibility. My Honourable friend has tried to explain away the Vice-Admiral's broadcast. Let me read the words again to refresh his memory. He did refer to the physical destruction of the Royal Indian Navy. These are his words:

"To continue the struggle is the height of folly, when you take into account the overwhelming forces at the disposal of the Government at this time and which will be used to the utmost, even if it means the destruction of the navy of which we have been so proud."

What can it mean except the destruction of the ships, which make up the navy? I make bold to say that a Vice-Admiral who talks in this language far exceeds in irresponsibility anything our boys have done.

Well, Sir, we have been told that the situation is under control and that prestige has been preserved. It has been preserved no doubt with the co-operation of men like Sardar Vallabhbhai Patel in Bombay and Mr. Gazdar in Karachi. It has been preserved due to our national leaders of all parties endorsing the call of the authorities. But I wonder whether this is the kind of victory worth having? It is reported that when the ratings who had surrendered landed at the pier in Bombay, large crowds applauded the ratings. They are the moral victors of the struggle—the men who surrendered. Sir, in view of the assurance that has been given by the Commander-in-Chief that nothing will be done further which will exacerbate the situation, I wish only to remind the opposite side of the words of Abraham Lincoln that "Nothing is ever settled that is not settled right", and I hope, Sir, now that the lesson has been learnt, it will result in the redress of the legitimate grievances of these men and a recognition of their patriotism and of the self-respect that they have preserved for this country.

Mr. P. J. Griffiths (Assam: European): Yesterday, when this House discussed the advisability of sitting today, I expressed doubts as to the wisdom of a debate on this particular issue at this juncture. It was my fear that a full and frank expression of opinion, without which a debate of this kind would be meaningless, might well make the situation worse rather than better. Since, however, the House decided otherwise, I cannot let these doubts deter me from saying certain things which may be unpalatable to some of the Honourable Members in this

[Mr. P. J. Griffiths]

House. I propose to begin by saying something which will probably be ur palatable to the Front Benches. Perhaps I should make it clear to begin wit that what I am now saying is a purely personal view. That view is that on a occasion of this kind, when we are discussing an issue of first class importanc connected with the Forces of the Crown, the War Member should have bee in this House to deal with the debate. This is not the first occasion during th present Session when matters of great importance relating to the Defence Force of the Crown have been discussed and on none of those occasions has the Wa Member considered it necessary to be present. I recognize his reluctance, n his capacity as Commander-in-Chief, to be embroiled in these disputes, but h is also War Member and this House is entitled to expect that when a first-clas debate is about to take place the Member in charge should be here to deal witl it. In saying that I cast no reflection upon the War Secretary, Mr. Mason whose lucidity of exposition and sincerity and courage in handling these matters I greatly admire.

I turn now to the more direct issues concerned. It seems to me that there are four separate matters to be considered. Firstly, we have to make an accurate estimate of what has really happened; then we have to ask why it has happened from that we have to go on to consider its probable effects; and finally we need to address ourselves to the action now to be taken. Let me take the first: what has happened? Here it seems to me of the utmost importance neither to exaggerate nor to minimise but to try to form a just judgment of exactly what has taken place. I do not want to use harsh words, but there is no other word by which to describe what has taken place than that word which my friends dislike so much—the word 'mutiny'. Mutiny not in a technical sense, but mutiny in a real, full and practical sense. Ships were seized; shells were prepared for firing; shots were fired. What else must soldiers or sailors do to come under the category of 'mutineers'?

Prof. N. G. Ranga (Guntur *cum* Nellore Non-Muhammadan Urban): Why should they not? You go out first.

Mr. President: Order, order.

Mr. P. J. Griffiths: I realise that I declare these actions to be mutiny. My arguments may fall on deaf and unresponsive ears.

Prof. N. G. Ranga: Your hearts are dead.

Mr. President: Order, order.

Mr. P. J. Griffiths: Let me therefore just read from a paper which is edited by a relation of the Leader of the Congress party—I mean the *Hindustan Times*. What do I find as the heading in the *Hindustan Times* yesterday? It says "Indian ratings mutiny at two centres". Don't let us pretend that by calling a spade an agricultural instrument instead of a spade, we somehow make the situation better. Let us admit what has happened is a mutiny. In the course of the mutiny certain demands were made. Those demands fall into three categories. The first is what you may call service demands such as those for pay, allowances, gratuities, better food and the like. We have not yet here before us sufficient material to judge how far those demands were reasonable or how far they were unreasonable. Whether they were reasonable or unreasonable, no army and no navy anywhere in the world can admit that even if men have reasonable complaints they can go into open mutiny to enforce their demands.

Then I turn to the second class of demands made by the mutineers—demands for the release of certain arrested persons.

Mr. Manu Subedar (Indian Merchants Chamber and Bureau: Indian Commerce): Has the Honourable Member any first-class information as to what was said by Commander King?

Mr. P. J. Griffiths: Have you?

Mr. Manu Subedar: That is why we propose to withhold judgment.

Mr. President: Instead of putting questions to the Honourable Member and his answering them, he should be allowed to proceed with his speech.

Mr. P. J. Griffiths: The reasons for the arrests of these persons are somewhat obscure, but they seem to have been accused of writing political slogans on walls inside the naval camps. Let me put this question to my Honourable friends: Is there any country in the world or any navy in the world the members of which would be allowed to write political slogans on the walls in their camps?

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Is there any other national Legislature in the world which has the misfortune of being addressed by a foreigner?

An Honourable Member: Is there a German member in the House of Commons?

Mr. President: Order, order. The Honourable Member should be allowed to proceed with his speech.

Mr. P. J. Griffiths: As it seems apparent that rhetorical questions are not understood I will confine myself to simple statements.

The third class of demands related to Indonesia and the Indian National Army. I do not know why these demands were put in but I suspect it was done to gain the sympathy of my friends on those Benches. One can understand that even though one cannot excuse a mutiny with regard to service conditions. But when a mutiny is conducted for political reasons, on account of demands by the members of the Army or the Navy that the Government shall or shall not employ the forces of the Crown in a certain way, such a mutiny can claim neither our understanding, nor our sympathy, nor our toleration. Mutiny on these grounds is something which would without fail undermine the very foundations of the State. It is very difficult for my Honourable friends here who have never been associated with any fighting service to understand what is meant by the bonds of discipline. Let me tell them that discipline is not something which exists just to ensure obedience. It is something far more than that. It is some thing which means a spirit of cohesion. It is something which brings unity to the forces. It is something which makes it possible for each man to rely on his neighbour in time of danger. It is a spirit which inspires men in the forces with pride and self-respect; and it is for this reason that when you break down that intangible spirit which must animate any fighting force, when you break down that spirit, your army or navy becomes a rabble and a dangerously armed rabble at that. It is for this reason that mutiny is regarded by all states as one of the most serious of crimes.

Why did this mutiny happen? I am not going to stop to deal with the local causes: I want to deal very briefly with the causes of a wider and more general nature. I will begin first by agreeing to a limited extent with my friend, Mr. Masani. I do agree that deep down the fundamental cause of this trouble, and of all the other widespread troubles in India today is the strain inherent in the present political situation. That is perfectly clear to everybody—no arguments are necessary to prove it. There is a maladjustment, there is a sense that the present form of Government is outworn; and as long as that sense persists so long will incidents like these be likely to occur. Let us admit that frankly. There is only one thing we can do about it and that is to effect, as fast as we can a constitutional settlement. But we can not say that until that constitutional settlement takes place, men may mutiny and capture ships and that soldiers may desert . . . . . .

An Honourable Member: Why not?

Mr. P. J. Griffiths: Because we have to hand over to you something worth handing over. Until the very day when the change of Government takes place, it is the duty of the existing Government to maintain the machine in such a condition that it is worth your while taking it over.

I come now to the second factor, which I believe to be a very real factor in the trouble, and that is the bad example set by certain men of the R.A.F.

[Mr. P. J. Griffiths]

Speaking as an ex-member of the R.A.F. myself, I deplore very deeply th bad example which was set, and I hope that if on any future occasion simil indiscipline occurs in the R.A.F. the authorities will take the strongest possib action to deal with it . . . .

An Honourable Member: Thank God you are not War Minister.

Mr. P. J. Griffiths: Then I pass on to the third general cause of this wid spread trouble, and here I have got to speak out quite frankly. You cann have people going about the country, making inflammatory speeches, speech deliberately intended to stir up trouble, speeches deliberately aimed at maki the armed forces waver in their allegiance—you cannot have speeches of th kind going on day in and day out, without their having repercussions on t psychology of men in the armed forces of the Crown. I have not got the tir now to quote them—on some other occasion I will do so—but Honourable Me bers know perfectly well that they have been made by some of the most influe tial and some of the most vociferous Congress leaders during the past two montl

Then I pass on to one more cause and that is the effect of the events co nected with the I.N.A. trials. I do not propose to discuss them in detail- have given my views on it only a week ago; but it does seem to me that wh 20,000 men belonging to the armed forces of the Crown are lauded and ma into national heroes for having gone over to the enemy . . . . . .

An Honourable Member: They were handed over to the enemy!

Mr. P. J. Griffiths: . . . . it would be the height of folly to expect that would have no reaction on the discipline and morale of the armed forces of t Crown.

And so, if I have to sum up the causes of this trouble, I should say, first y have the general cause—the political maladjustment; secondly you have certa local causes, about which we do not know very much yet; and thirdly, y have the unwise and thoughtless agitation carried on in the political field certain men who should provide more responsible leadership.

What are the effects of this likely to be? I need not stop to dwell on t long term effects. I need not remind my Honourable friends that there is o thing that will above all else matter to a self governing India and that is. an army and navy and air force on whose unwavering, unhesitating a unarguing obedience she can confidently rely. It may well be that what h taken place today . . . . . .

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural Leave it to them.

Mr. P. J. Griffiths: I cannot leave it to him . . . . . .

Sjt. N. V. Gadgil: You must.

Mr. P. J. Griffiths: It may well be that what has taken place today w weaken that reliability, that dependability, and that when my Honourab friend, Mr. Asaf Ali, becomes the War Minister in a new cabinet . . . . . .

Mr. M. Asaf Ali: Spare me!

Mr. P. J. Griffiths: . . . . and if my friend Nawabzada Liaquat Ali Kh becomes war minister in Pakistan, they will discover that forces have be unleashed in the army and navy and air force which they cannot contr There is one more consideration . . . . . .

Mr. President: The Honourable Member's time is very nearly approachi limit: he has got only one minute more.

Mr. P. J. Griffiths: I am just finishing. There is just one more wor We have seen the causes, we have seen their effect. What is to be done now In my view there are two things to be done now. The first is for Governmen and it is that Government should make it unmistakeably clear that if by a ill fortune there is a recurrence of this kind of thing, they will use to the utmo

the forces of the Crown to suppress it (*An Honourable Member*: Oh!) and in that action, action which will be for the benefit of India herself, they will have the fullest and most unqualified support of this Group.

Finally, there is one more thing to be done, and this is a thing which rests in the hands of my Honourable friends of the Congress Party, and I would appeal to them: Do not make the mistake that you made over the I.N.A. Do not turn these men into national heroes. Already untold mischief has been caused because men who had broken their oath of allegiance have been made into national heroes. Do not repeat that mistake. For these men at least you have no political excuses to offer. These men mutinied for more pay and better food and allowances. Can you make national heroes out of them? So, I say that whatever may have been the follies of the past, whatever may have been the causes of this outbreak, let us see to it that those causes are not aggravated and not allowed to spread elsewhere by making these mutineers feel that the country is behind them.

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Mr. President, it seems to me that the cook of Mr. Mason's story had a lot more sense than Admiral Godfrey or even the Prime Minister of England—or coming nearer the House—than even the Leader of the European Group. For this reason: that that cook knew it was a very insufficient reason to join the so-called, alleged mutineers—I do not call them either rebels or mutineers for reasons which I will presently state. They all seem to go into a panic and they do not realise that they have all gone into this panic out of sentimental reasons and call, what I would certainly call a strike, a mutiny; and you have warships travelling over from England and coming to this place and this Admiral Godfrey with the help of another Rattrey—he says he has overwhelming forces at his disposal and he will destroy the whole of the R.I.N. What are we to think of these people, these naval men about whom, when it suits your purposes, you praise them to the skies—and not only praise them to the skies but in your own despatches you give them distinctions and honours. It suited you then to call them heroes; and now when they complain about the inhuman conditions—bad pay and bad food and racial discriminating behaviour—then you say that they are mutineers. Is that right? I do not think it is fair so to call them. Would you call these people who were merely beginners in naval warfare—they really did not get more than six years' course—my friend Mr. Griffiths and others should know that this R.I.N. has not been long in duration—it is only of six years' standing from the year 1939, and up till now you have increased it twenty-fold, that is, about 19 times the number of the original navy: they are fresh and young and new, and yet in spite of that they go from Akyab to Letpan; they earn distinctions in the battles of Burma; and not only in Burma but among the European nations such as the Italians and others—they also know how brave they are and how gallant they are; and on the beaches of Letpan as well as Akyab they helped this Government to win the so-called European war, and now you come forward and you call them mutineers. I say you ought to be ashamed of yourselves to call them mutineers. After all, what were the real issues that these people raised? Not just for bad pay, not just for insanitary conditions; but do you expect these valiant and brave men, of whom you may be conveniently proud but of whom we will always be proud—you think that they should put up with these inhuman conditions after having seen war all over the world. Certainly not. But what is the real cause of this trouble? I say these are all minor factors about bad pay. The real cause of the trouble is the racial discrimination. It has been made absolutely clear. My friend Mr. Mason says that there must be some one who has led these ignorant and young men to this step. I say whatever has led to this stage is obvious and apparent. It is not only the inhuman conditions—I repeat it again, it is the racial discrimination that has been exercised; and can you deny that that racial distinction is exercised not only in the navy but also in the army?

[Dr. G. V. Deshmukh]

I make bold to say that even among the I.C.S. there is racial discrimination, if they will only speak out. It may not be convenient for them to speak out. Can they deny that racial discrimination exists even now. (*An Honourable Member*: "They don't go on strike".) They will, if they could. Since they are well looked after with regard to their pay and service conditions they would put up with racial distinctions.

5 P.M.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Mr. Griffiths mutinied from the I.C.S.!

Dr. G. V. Deshmukh: You cannot expect valiant heroes to put up with those conditions. Now, it has been said: 'We want to hand over your army and your navy and the fighting forces in a good condition for your future government'. Why are you so frightened about it. It is you people in the early stages of the war who called our soldiers and sailors mercenery and you expect that they will be loyal. I say there is only one remedy to make them loyal. Give them some ideal that they may be proud of. Give them national government and you need not worry whether they will be loyal to us or not. What was the example of Russia? There were so many different communities and races there—even more than in India. Hitler had thought that on account of so many differences the Russian army will not be able to stand and that it will disintegrate but as soon as a common ideal was given to them—and that was the national ideal—what happened? Did the Ukrainian desert the Russian army? Not only the European Ukrainian but also the Russian barbarian from the steppes fought for all they were worth for the common ideal; and, Sir, that is the real remedy, if you want to remedy this state of affairs. Don't be unnecessarily frightened. You have looked after us in your own way for a long time. I am telling you better remedies so that we will be able to look after ourselves much better. You have your own idea of discipline. After all ideas of discipline are relative. Some ideas of discipline which may apply at an early stage will not be applicable at a later stage. You may have your own ideas of discipline. You think that Indian soldiers should be satisfied with a bowl of kanji and should be loyal to you, because they were under the impression that it was the British Government which was giving them pay. I say that the national consciousness has been aroused and you have to take note of it. You must take this new factor into consideration. Not all Godfreys, with all the might of the British Empire, nor the members of the European Group who think that these I.N.A. people should not be considered as heroes,—I even go a step further—not even all the atomic bomb power that you will be able to control will be able to destroy the national consciousness that has been aroused in this nation.

Mr. P. J. Griffiths: We do not want to do it.

Dr. G. V. Deshmukh: Even if you want to do it, you cannot do it. In the circumstances the right thing to do is to give these men a proper ideal. Give them a national government and all these difficulties will disappear like the mist on a fine morning and then my friends need not worry about the future.

There is one more point to which I should like to draw the attention of the House. We heard the War Secretary say that shops were looted. I should like the House to analyse the situation properly and isolate the question of these R.I.N. from the mob fury that has taken place in Bombay. I want you to isolate this, so that the two may not be associated and the real question about these R.I.N. people should not be judged in a wrong way. Now, why do these mob furies break out? We have repeatedly seen that whenever any constitutional progress is going to be made in this country this mob violence breaks out. We have seen that the excuse or the argument is that there are hooligans and there are communists. What I say is this. Is this the duty of the police or the duty of the military to put down this hooliganism? How is it that in a city like Bombay where there are so many police they are not to be found when

mob violence breaks out. I have it from my friends in Bombay that when the post offices were being burnt and when this mob fury was taking place, the police was not to be seen. I make this statement on the floor of the House. I do not want to insinuate anything but what I say is this. It is the duty of the police and if the police every now and then brings forward this excuse that this is the work of the hooligans and communists, then the police is inefficient . . .

Mr. P. Mason: On a point of order. We are discussing the R.I.N. now.

Dr. G. V. Deshmukh: May I point out to my friend that it was he who alluded to the looting of the shops.....

Mr. President: You need not reply to the point of order. You have got one minute more to finish your speech.

Dr. G. V. Deshmukh: I say that you must isolate this question of the R.I.N. We, Sir, must feel about the losses in Bombay. There are one hundred people dead and there are over 500 casualties. After all if this thing started from the reaction of the bad treatment of the R.I.N men, then I say that we cannot be so blind or so heartless as not to allude to it on the floor of the House. I do not care whether this is a Provincial subject or a Central subject. I say that if the police is so incompetent then the Commissioner of Police should be done away with. He should be the first person to be sacked.

In conclusion, let me tell my friends that the old order has changed. If you believe even now that by merely paying your monthly salaries you can expect that discipline will be maintained and loyalty created, you are very much mistaken. There is a higher loyalty and a higher discipline, and I am very glad that my friends of the I.N.A. and the R.I.N. have proved themselves adherents of this better loyalty and worthy sons of this country.

Nawabzada Liaquat Ali Khan (Meerut Division Muhammadan Rural): Mr. President, it was refreshing—I do not want to use any other expression, because I have no desire to embarrass my Honourable friends of the Congress Party—to find the Deputy Leader of the Congress Party paying his tribute to the valour and bravery of the Indian soldier.

Mr. M. Asaf Ali: Why should I not?

Nawabzada Liaquat Ali Khan: He said that he was proud of their achievements. I said it was refreshing, because so far all that the Indian soldier has heard from the Leaders of the Congress is that they were mercenaries and rice soldiers. (Interruption)

Mr. President: Let the Honourable Member go on with his speech.

Nawabzada Liaquat Ali Khan: I do not mind interruptions. Don't bother.

Mr. President: It is not a question whether the Honourable Member minds it or not. It is the concern of the Chair to regulate the debate.

Nawabzada Liaquat Ali Khan: Then I hope that the Chair would be good enough to control them.

It would, I am sure, be a source of great encouragement to the Indian soldier who has proved his worth and who has certainly established the reputation of India during the last war.

I am afraid, Sir, that your desire to assist Honourable Members of this House in this debate by asking the War Secretary to make his speech before the commencement of the Adjournment Motion which he was to make during the course of the debate has not really been taken advantage of. Very few Honourable Members of the House have paid much attention to what the Honourable the War Secretary had stated as the policy of the Government of India with regard to this matter. After the Honourable the War Secretary had made his statement, I asked you, Sir, if I should ask questions then or should I reserve my remarks till the debate on the Adjournment Motion took place. Now, Sir, I would like to take this opportunity of asking the War Secretary to clarify further the policy of the Government with regard to the matter of enquiry. I understood the War Secretary to say that there would be more than one enquiry. First, he said there would have to be an enquiry by the services themselves. Then,

[Nawabzada Liaquat Ali Khan]

he said there would have to be an enquiry by a Commission or Committee whatever you like to call it, with which would be associated the elected Members of this Honourable House and that enquiry would deal as to how this trouble arose and the reasons for indiscipline. Now, Sir, if this Committee or Commission or Tribunal has to enquire into this question as to how this trouble arose and the reasons for indiscipline, I fail to see what enquiry the services would make in this matter, because after all, the services would also enquire into this question as to what were the reasons for this trouble and what were the reasons for indiscipline. What is the object of having first a departmental enquiry and then having another impartial enquiry into the same matters, I fail to understand. If really it is the object of the Government to have an impartial enquiry made into the whole affair, and if the Government are really serious to give an opportunity to the elected Members of this House to be associated with such enquiry, then I am afraid I cannot see any logic in having an earlier enquiry confined particularly by the members of the services only. Then, Sir, there is another aspect of this enquiry about which I would like the Honourable the War Secretary or the Leader of the House, whoever is going to speak on behalf of the Government to enlighten Honourable Members. Would this Commission also be competent to examine the grievances of R.I.N., and recommend to the Government the remedies to meet those grievances or would it only be confined to the acts of Commission by R.I.N.? Sir, I think these are matters about which I would like the War Secretary to make the position of the Government clear.

Sir, my Honourable friend the War Secretary referred to the looting of shops. My Honourable friend Dr. Deshmukh also referred to it and it was also one of the questions which I wanted to ask the War Secretary, as to who did the looting of shops?

Mr. M. Asaf Ali: Not the R.I.N.

Nawabzada Liaquat Ali Khan: Were the R.I.N. responsible? If they were not responsible then I submit that it can not be the subject of enquiry by this Commission. Sir, I do not want to say and repeat the old saying 'did I not tell you so'. But if the Government would look up the past records of the debates in this House, they would find that on more than one occasion some of the Honourable Members of this House including myself pointed it out to them that the treatment which was being meted out, especially to the Indian officers in the army was such that it was greatly resented by them. On more than one occasion, I pointed out that there was racial discrimination and that it would recoil on your heads and that you should take note of this fact that there was great discontent amongst the various forces of the Indian army and they were feeling very badly the indignity of being treated in a discriminatory manner. Sir, the grievances of R.I.N. have been stated by my Honourable friend Mr. Masani and it is regrettable indeed that no effort was made by the Government either to enquire into those grievances or remedy them till such time as they had to face the trouble which is now facing them. It is a common belief of every section of the people in India that the present Government sit with cotton wool stuffed in their ears, they never listen to the voice of reason till such time as it is not dinned into their ears. All this trouble that is taking place is due to this belief which generally prevails in the country that it is no use talking to the Government of India in a gentlemanly manner, unless you really create trouble, they cannot be roused from their deep slumber. This feeling, Mr. President, is really unfortunate. I would request the Government of India to shake off their lethargy and be more responsive to public opinion and to what is stated either on the floor of the House or outside. Sir, my Honourable friend the War Secretary is talking of discipline. I am sure there is no one in this House who would not desire that there should be complete discipline in the army. But I would say that the responsibility of the officers is very great with regard to the forces. The duty of the officer is not only to lead his men to the

battle front, his duty is to keep in touch, constant touch with the feelings, sentiments and grievances of men under him. It appears from what has happened with regard to R.I.N. and the incidents which have taken place that the immediate officers certainly were not as careful and as active with regard to their duties as they should have been. Of course, without having full facts before one, it would not be fair to condemn any one out of court. But one cannot help feeling that there must have been something wrong with the immediate officers of these men. I find it difficult to believe that suddenly so many thousands of men would go mad and start creating trouble without their immediate officers knowing something about their feelings and being aware of what was brewing. Therefore, Sir, while I fully endorse the desire of the War Secretary that there should be maintained complete discipline in the army, I submit that the officers who are placed in charge of the men in the Indian army should be such as are really competent and are able to command the confidence of the Indian soldier. Sir, it is very gratifying that the situation in Bombay and Karachi, according to the War Secretary, is practically normal; and I am very glad that the men have called off the strike and have started their routine of duty. I can assure them from here that the Muslim League will use all that lies in its power to secure the reasonable and legitimate demands of the R.I.N., and they may count upon the assistance and active support of the League in redressing their legitimate grievances.

Mr. President: The Honourable Member has one minute more.

Nawabzada Liaquat Ali Khan: Sir, I would appeal to Government to be more vigilant with regard to the feelings and sentiments of the forces in the Indian army and they should always be prompt in meeting their legitimate demands and removing their legitimate grievances. I hope that the commission of inquiry which Government intend to appoint, will be appointed at an early date with full powers to make recommendations to Government on every aspect of this unfortunate incident.

Several Honourable Members: The question may now be put.

Mr. President: I think it is only fair to allow the War Secretary to reply.

Several Honourable Members: Yes, subject to that.

Mr. President: Mr. Mason.

Mr. P. Mason: Sir, I should like to begin, if I may, by referring to the speech of the Deputy Leader of the Muslim League Party because, for one thing, it was the last and freshest in every one's memory, and also because he asked me a number of specific questions; and I do agree that these points wanted clearing up. I apologise for their not having been cleared up. In the first place, events have crowded upon us so thick and fast in the last two days that I did not quite give that anxious and careful attention to the form of what I wished to say that I would have wished to otherwise. The point really is with regard to the two kinds of inquiry to which I referred and I think also, the reference to the Defence Consultative Committee. It appears to me—and I should like to emphasise that I am speaking here really personally, because I have not had time to take the decision of Government on this matter; and it is inevitably something which would require a certain amount of consideration and consultation. But speaking personally, after consultation only with the military authorities, I should say that there are really three things for discussion. The first is the general policy —and that we are already to a certain extent discussing—and that is a question which I would like to have referred to the Defence Consultative Committee as soon as it is constituted and as soon as it can meet; and I hope that every one in the House will agree that that should be as soon as possible. Then, Sir, I think as soon as that has been discussed with them, there will be two things to be done. One will be that we shall need a series of service inquiries into the actual course of events, into what actually happened in each of the various centres. These will be courts of inquiry which will record evidence and make recommendations.

Mr. M. Asaf Ali: To whom?

Mr. P. Mason: To the Commanding Officer in question.

Nawabzada Liaquat Ali Khan: About what?

Mr. P. Mason: They will make recommendations as to the actual conduct and the guilt of the persons concerned, which will be in accordance with the general policy laid down from here after consultation with the Defence Consultative Committee.

I then turn to the scope of the wider inquiry to which I referred. As I say, I visualise myself that this should be a very full and very impartial inquiry on which various elements should be represented. I cannot really go into details because, as I say, I shall have to consult Government as a whole, and a decision of the civil Government would be necessary. But with regard to its scope I quite agree that it should have a very wide scope. It should be asked to inquire into the causes, that is to say, the grievances which the men put forward as their reasons for indiscipline; it should also—I am quite sure—inquire into any allegations made against the officers in question and into the conduct of the authorities in general. In fact it would be an inquiry which would be empowered to bring in a report which condemned the Government of India. But as I said, I can only speak for myself at the moment.

Nawabzada Liaquat Ali Khan: Would it not inquire as to who were responsible for this?

Mr. P. Mason: Yes, Sir, that is exactly what I just said.

Nawabzada Liaquat Ali Khan: Then, what is the need for the other service inquiry?

Mr. P. Mason: One is an inquiry into the grievances of the men, the conduct of their immediate officers—which is the subject of discussion at the moment—and everything connected with the reasons for the trouble. The other would be regarding the facts and regarding individual men; it would be whether Able Seaman Khan did or did not refuse duty on a certain day. That would be a question which would be quite beyond the scope of the committee of the kind I have in mind. That is why I think we will need to have two kinds of inquiry.

As I said, Sir, I am sorry I failed to make that point clear, but that is really the main question which the Nawabzada asked me. There remain a number of other speeches which have been made in which it seems to me that the essential point—no doubt due to my failure to make myself clear before—has been missed. And the essential point is that I think there should be this full and impartial inquiry; and until that full and impartial inquiry is held it is surely premature for us to make up our minds. For example, there is one specific point which has been made several times, and that is with regard to what Commander King said. The ratings say he used certain language which, I quite agree, is very improper if he did use it. He himself says he did not. I have not made up my mind as to whether he did or did not say it, and I request the other side of the House also to keep an open mind; that will be one of the subjects of inquiry.

There is one other point that has been raised by two Honourable Members, and that is about the looting of shops. I think that there I may have fallen into the very error that I was just asking others to refrain from. I did say that at this incident the looting of shops occurred; and it is my impression that at least some of the reports did say that on the first day, before the civil rising broke out, R.I.N. ratings were guilty of breaking into shops. But I may be wrong, and I think this matter also will be inquired into.

Dr. G. V. Deshmukh: Sir, may I interrupt the Honourable Member for one minute?

The main reason why these shops—Kodak, Whiteaway & Laidlaw, and Lawrence & Mayo—were broken in was that these companies would not sell to Indian customers, but sold their goods to European customers. It was racial discrimination even there.

Mr. P. Mason: I would ask you to keep an open mind on that question also until an enquiry has been held.

I would like to thank the leaders of the Muslim League and the Congress Party for the restraint which they have showed and for the very general agreement which they expressed with my homily at the beginning on the subject of discipline. It is quite clear that all sections of the House are at one on this question, and do wish to preserve the discipline of the Armed Forces. The question on which we differ is the best means to do it, and it still seems to me that it will be unwise for the House to make up its mind in advance, and to condemn the officers without hearing because you have not heard their side of the question any more than I have heard the side of those who have committed these acts of indiscipline.

Mr. M. Asaf Ali: We can judge by the results.

Mr. P. Mason: I would ask that in both cases we keep an open mind until an enquiry is actually conducted, and when that enquiry has been held then we should make up our mind. And I do again ask the House to consider whether if they do, without knowing the facts, censure the officers who were responsible immediately over the heads of these men, they are not encouraging the other Armed forces to do the same. I am afraid they are.

There were a number of other points raised, and I wish that every Member had shown quite the same restraint as the two leaders did. I do not want to talk about all those points because I do not want to get involved in long arguments on this subject. I think the essence of the situation is just what I have already said, namely, that we should not make up our mind until an enquiry has been held.

But there are two points which I would like to answer: The first is the reference to the Commander-in-Chief and his not being here, and I would like to make it very clear that he has to perform two functions—he is Commander-in-Chief and he is War Member at present. I personally—I am saying more perhaps than I really ought to say—personally I wish that that situation would come to an end and that we could have straightaway a civilian War Member, and I hope we shall before long,—that is only a personal expression of opinion. But so long as the Commander-in-Chief is the War Member, he is first Commander-in-Chief. That is inevitable and that is one of the defects in the position. So long as he is Commander-in-Chief, the Army and the Armed Forces must think of him as Commander-in-Chief and in my opinion it would [illegible] into the House and become involved in highly controversial questions in which Members will very often say things which in the calm of their own house they would not say, and I am quite sure that he is right in the interest of the Armed Forces not to take that action.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): How would he avoid a discussion of this sort in the Council of State?

Mr. P. Mason: Debates in the Council of State are considerably less controversial.

Sardar Mangal Singh: Is that a compliment?

Mr. P. Mason: The second point, on which I would like to say very little, is the question of discrimination. Here again, I want to say something personal. I want to say that I have served now for some four years under the Commander-in-Chief and I can say with all the sincerity I command that it has been his constant endeavour on every possible occasion to eliminate discrimination.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Does the War Secretary know about the Navy Club of Bombay?

Mr. P. Mason: I am not giving way. The Navy Club of Bombay is not under the Commander-in-Chief.

Sir, it has been his constant endeavour to eliminate discrimination. I have seen hundreds of instances where he has intervened and taken steps to ensure that racial discrimination shall not take place, but with regard to the particular thing alleged in relation to these ratings . . . . . .

Mr. Abdur Rahman Siddiqi: He has failed.

Mr. P. Mason: I think I have spoken on that subject—the question of pay—sufficiently already, and I think my Honourable friends on the other side do understand. I just wanted to make that one point about the Commander-in-Chief's own efforts. And I would again ask the House not to censure Government on this subject because, as I have said, I think it will encourage further action of a similar nature which I know that we all wish to avoid.

Nawabzada Liaquat Ali Khan: May I ask one question from the Honourable Member? Am I right in understanding that no action will be taken against any member of the Royal Indian Navy till such time as full enquiry has been made by this Commission that the Government propose to appoint?

Mr. P. Mason: I think that is a very difficult question to answer. But may I say that no one will be punished until the question has been discussed with the Defence Consultative Committee. I cannot I think at this stage go so far as to give the assurance for which you ask. But I can say that this question will be considered.

Shri Satya Narayan Sinha (Darbhanga *cum* Saran: Non-Muhammadan): The question may be put.

Mr. President: The question is:

"That the question be now put."

The motion was adopted.

Mr. President: The question is:

"That the Assembly do now adjourn."

The Assembly divided:

AYES—74

Abdul Ghani Khan, Khan.
Abdul Hamid Shah, Maulvi.
Abdullah, Hafiz Mohammad.
Abid Hussain, Choudhury Md.
Ali Asghar Khan, Mr.
Asaf Ali, Mr. M.
Ayyangar, Sri M. Ananthasayanam.
Banerjee, Sree Satyapriya.
Bose, Shri Sarat Chandra.
Chaman Lall, Diwan.
Chettiar, Sri T. A. Ramalingam.
Choudhury, Sreejut Rohini Kumar.
Daga, Seth Shoodasa.
Damodar Swaroop, Sjt. Seth.
Dani, Mr G. B.
Deshmukh, Dr. G. V.
Ebrahim Haroon Jaffer, Mr. Ahmed.
Gadgil, Sjt. N. V.
Gangaraju, Sri V.
Gauri Shankar Saran Singh, Mr.
Ghazanfarulla, Khan Bahadur Hafiz M.
Gole, Mr. P. B.
Gounder, Sri V. C. Vellingiri.
Govind Das, Seth.
Guruswami, Mr S.
Hans Raj, Raizada.
Hiray, Sjt. B. S.
Ismail Khan, Hajee Chowdhury Mohammad.
Jagannathdas, Sri.
Jeelani, Khan Bahadur Makhdum Al-Haj Sved Sher Shah.
Jhunjhunwala, Mr. B. P.
Kara, Miss Maniben.
Karmarkar, Shri D. P.
Khan, Mr. Debendra Lal.
Killedar, Mr. Mohammad M.
Lahiri Choudhury, Srijut Dhirendra Kanta.
Liaquat Ali Khan, Nawabzada.
Mahapatra, Sri Bhagirathi.
Malaviya, Pandit Govind
Mangal Singh, Sardar.
Manu Subedar, Mr.
Masani, Mr. M. R
Menon, Sri A Karunakara
Mukhopadhyay, Mr. Nagendranath.
Mukut Bihari Lal Bhargava, Pandit
Narayanmurthi, Sri N.
Nauman, Mr. Muhammad.
Neogy, Mr. K. C.
Paliwal, Pandit Sri Krishna Dutt
Rahmat-ullah, Mr. Muhammad
Ram Narayan Singh, Babu.
Ramayan Prasad, Mr.
Ranga, Prof. N. G.
Reddiar, Sri R. Venkatasubba.
Saksena, Shri Mohan Lal
Salve, Mr. P. K.
Sanyal, Mr Sasanka Sekhar.
Satakopachari, Sri T. V
Sharma, Mr. Krishna Chandra
Sharma, Pandit Balkrishna.
Siddique Ali Khan, Nawab.
Siddiqi, Mr. Abdur Rahman.
Sinha, Shri Satya Narayan.
Sri Prakasa, Shri.
Sukhdev Udhowdas, Mr.
Surjit Singh Majithia, Squadron Leader Sardar
Tamizuddin Khan, Mr.
Thakur Das Bhargava, Pundit.
Vadilal Lallubhai, Mr.
Varma, Mr. B. B.
Vinchoorkar, Sardar N. G.
Yamin Khan, Sir Muhammad.
Yusuf Abdoo'a Haroon, Seth.
Zafar Ali Khan, Maulana.

NOES—40

Ambedkar, The Honourable Dr. B. R.	Lawson, Mr. C. P.
Anthony, Mr. Frank R.	Madan, Dr. B. K.
Azimi Huque, The Honourable Dr. Sir M.	Mason, Mr. P.
Banerjee, Mr. R. N.	Morris, Mr. R. C.
Benthall, The Honourable Sir Edward.	Naqvi, Mr. A. T.
Bewoor, Sir Gurunath.	Qulanam, Mr. S. H. Y.
Bhattacharyya, Rai Bahadur Devendra Mohan.	Roy, The Honourable Sir Asoka.
Chapman-Mortimer, Mr. T.	Rowlands, The Honourable Sir Archibald.
Chatterjee, Lt.-Col. Dr. J. C.	Sargent, Dr. John.
Cook, Mr. B. C. A.	Sen, Mr. B. R.
Griffiths, Mr. P. J.	Sharbat Khan, Khan Bahadur.
Gwilt, Mr. Leslie.	Spence, Sir George.
Himmatsinhji, Col. Kumar Shri.	Sri Chand, Chaudhri.
Hirtzel, Mr. M. A. F.	Stokes, Mr. H. G.
Hydari, The Honourable Sir Akbar.	Thorne, The Honourable Sir John.
Inskip, Mr. A. C.	Turner, Mr. A. C.
Jehangir, Sir Cowasjee.	Tyson, Mr. Geoffrey W.
Joshi, Mr. S. C.	Vaidyanathan, Mr. L. S.
Khan, Khan Bahadur Z. H.	Waugh, The Honourable Mr. A. A.
Kharegat, Sir Pheroze.	Weightman, Mr. H.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 25th February, 1946.

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LEGISLATIVE ASSEMBLY DEBATES

MONDAY, 25th FEBRUARY, 1946
Vol. II—No. 10

OFFICIAL REPORT

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LEGISLATIVE ASSEMBLY

Monday, 25th February, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBER SWORN

Mr. Richard Vincent Fenton, I.C.S., M.L.A. (Government of India: Nominated Official).

Sri R. Venkatasubba Reddiar: On a point of order, Sir. Is the Honourable Member who has just taken the oath of allegiance aged 25?

Mr. President: That is hardly a point of order. However, I think he must be above that age.

Shri Sri Prakasa: Is there an age limit, even for nominations?

Mr. President: We now proceed with the business.

STARRED QUESTIONS AND ANSWERS†

WRITTEN ANSWERS

STOPPING OF WOMEN WORKING IN COAL MINES

466. *Prof. N. G. Ranga: Will the Honourable the Labour Member be pleased to state:

(a) When Government propose to stop women working in Coal Mines now that the war is over; and

(b) whether they have any schemes ready to provide these women who have been brought away from their villages any alternative employment or to provide them free return passages and to free them also from any debts that they may have incurred while at work in the mines in the hope of repaying them through their savings at the mines?

The Honourable Dr. B. R. Ambedkar: (a) Government have no intention of entirely prohibiting the employment of women in Coal Mines. Their employment underground has, however, been prohibited from the 1st February 1946.

(b) The Welfare Fund of the Central Government has decided to open vegetable farms in the coalfields and the various Mining Associations of employers and the Provincial Governments of Bengal and Bihar were asked to do everything possible to provide atonce alternative employment for women released from underground work Majority of these women have already been provided with surface work in the coalfields.

RECOMMENDATIONS OF INDIAN LABOUR CONFERENCE

467. *Prof. N. G. Ranga: Will the Honourable the Labour Member be pleased to state:

(a) the recommendations made by the Indian Labour Conference that met in November, 1945;

(b) the conclusions or decisions reached by Government thereon; and

(c) what steps the Government of India propose to take to implement them?

The Honourable Dr. B. R. Ambedkar: (a) None.

(b) and (c). Do not arise.

†The question hour for the day having been cancelled, the answers were laid on the table of the House.—*Ed. of D.*

SERVICE CONDITIONS OF INDIAN SEAMEN EMPLOYED ON BRITISH SHIPS

468. *Mr. P. B. Gole: Has the attention of the Honourable the Commerce Member been drawn to the conditions of Indian Seamen employed on the British ships regarding (i) wages, (ii) hours of work, (iii) leave, (iv) Insurance, (v) space on board, etc., and the hostile attitude taken in this respect by the British ship-owners in the International Maritime Conference held at Copenhagen? If so, what steps have Government taken or propose to take to ensure equal treatment to Indian seamen regarding wages, etc.?

The Honourable Dr. Sir M. Azizul Huque: The Government of India are aware of the conditions of Indian seamen employed on British ships. A fair measure of agreement was reached at the Copenhagen Conference on all the questions which came up for consideration except in the case of wages, hours of work and manning. The Copenhagen Conference was only a preparatory one and all the subjects covered by it will be further considered at a maritime session of the International Labour Conference to be held in Seattle in June next when final decisions will be arrived at. The Government of India are now examining the tentative conclusions reached at Copenhagen with a view to deciding the attitude which they should take at the Seattle Conference and I may assure the Honourable Member that in doing so they will try to secure the best possible conditions of service for Indian seamen.

GOVERNMENT'S HOUSE BUILDING PROGRAMME FOR BIG CITIES

469. *Mr. Manu Subedar: (a) Has the attention of the Honourable the Labour Member been drawn to the editorial remarks of the *Statesman* of the 23rd January, 1946, that "Yet it must be remembered that almost no dwelling has been built in any Indian town during the last six years," and is he in a position to contradict this statement?

(b) What steps have Government taken to encourage building in congested cities like Bombay and Calcutta?

(c) Are the controls operating still to prevent structures going up, or are they going out of their way to smoothen out difficulties of builders?

(d) Have the Government of India received from, or sent to, Provincial Governments any concrete plan in order to bring into existence increased number of buildings in India?

(e) Are Government aware that the building trade is the most promising one for the absorption of those who may be retrenched from Government service?

The Honourable Dr. B. R. Ambedkar: (a) Yes. As we have no information regarding the number of buildings constructed during the last six years by private persons, it is impossible either to support or to contradict the statement as it is worded; but I should like to point out that the controls for the use of building materials were not imposed till about the latter half of 1941.

(b) Presumably the Honourable Member has in mind private building. The Government of India have recently taken some steps of a general nature to encourage private building all over India and not only particularly in Bombay and Calcutta.

They have withdrawn the instructions which they issued to Provincial Governments regarding the exercise of control over building construction. They have advised Provincial Governments generally to encourage private building by all means in their power. They have issued specific instructions about the release of bricks and increased quantities of other building materials like cement, steel, timber, etc., which are under the control of the Government of India, have been made available to private builders.

Government of India have further decided to convene a meeting in Delhi in the first week of March 1946, of representatives of the building trade in order to discuss with them the factors that are still impeding the progress of private building in this country.

(c) The Government of India believe that the relaxations are going to make it easier for builders to put up structures in future.

(d) The Government of India have addressed provinces in regard to a short-term scheme for the encouragement of the construction of housing for industrial labour and those other workers in urban areas who are unable to pay an economic rent. The scheme involves a subsidy from the Centre provided provinces make an equivalent subsidy and will be referred to by the Finance Member in his Budget speech.

(e) Yes.

GOVERNMENT'S POLICY *re* RESIDENTIAL USE OF WARTIME TEMPORARY STRUCTURES

470. *Mr. Manu Subedar: (a) Is the Honourable the Labour Member aware of the special measures being taken in the United Kingdom to increase activity in house building? If so, what are these measures?

(b) Do Government propose to indicate their policy with regard to the following suggestion made by the *Statesman* of the 23rd January, 1946:

"The Government would be, therefore, well advised to consider if until the law of supply and demand has reasserted itself, residential use is possible of the temporary structures put up during the war"?

The Honourable Dr. B. R. Ambedkar: (a) Yes. These measures have been fully explained in the British Ministry of Information pamphlet No. R 520, a copy of which will be found in the Library of the House.

(b) The suggestion made by the *Statesman* of the 23rd January, 1946, was in respect of the temporary buildings constructed in Calcutta and I take it that the Honourable Member wants to know the policy of Government in respect of these buildings. I am concerned only with the buildings constructed for Central Government Civil Offices which will no doubt be retained for use until they have become surplus to our requirements.

ABOLITION OF DEFENCE OF INDIA RULES

471. *Mr. Manu Subedar: (a) When does the Honourable the Law Member intend to abolish the Defence of India Rules, now that the emergency of the war, which brought these Rules into force, has ceased to exist?

(b) Is it a fact that from many quarters complaints have been made in representations to Government as well as in the press, about the oppressive nature of many of these Rules?

(c) When does the notification extending the operation of these Rules expire?

(d) Have Government considered whether the powers, which they have under the normal laws of the country, do not give them sufficient authority to carry on Government? If so, in which directions have they found it necessary to supplement the powers given under normal laws during the period of peace?

(e) Will Government make a statement of their policy before this House and set aside a day for the discussion of this subject?

The Honourable Sir Asoka Roy: (a) and (c). The Honourable Member appears to be under a misapprehension. There has been no notification extending the operation of the rules which, in the absence of express cancellation in the meantime, will remain in force for so long as the Defence of India Act remains in force, namely, until six months after the termination of the war.

(b) There has been a considerable volume of mainly uncritical attack on the rules at large, but comparatively few of the rules have formed the subject of specific complaint.

(d) The question arising is not one of supplementing powers otherwise available, but of whether all or any of the rules should be expressly cancelled in advance of the date on which the expiration of the Act will put the rules out of operation.

(e) The policy of Government is to keep the rules in force until they are put out of operation by the expiration of the Act, save to the extent to which they may from time to time be satisfied that any particular rules are no longer required. In pursuance of this policy 42 rules were cancelled by the late Defence Department Notification No. 3 D.C.(4)-45, dated the 12th January 1946. If any Honourable Member desires a debate on this subject, it is open to him to give notice of a Resolution. Government do not propose to set aside a day for the purpose.

STABILIZATION OF AGRICULTURAL PRICES

472. *Mr. Ahmed E. H. Jaffer: Will the Agriculture Secretary be pleased to lay a statement on the table of the House for the information of Members containing any new proposals for the stabilization of agricultural prices for the next five years in order to bring about prosperity to the Indian villages?

Sir Pheroze Kharegat: Proposals for the stabilisation of agricultural prices will be formulated as soon as the recommendations of the Sub-Committee of the Policy Committee on Agriculture set up to advise how agricultural prices should be fixed and made effective, are received.

EXPENSES INCURRED ON PARLIAMENTARY DELEGATION

473. *Mr. Ahmed E. H. Jaffer: Will the Honourable the Leader of the House be pleased to state:

(a) if the Government of India are paying all expenses incurred by the Parliamentary Delegation which is now touring India;

(b) if Government have received representations from public bodies in India protesting against the arrival in India of this "Goodwill Mission" at the present juncture; and

(c) if the suggestion to send out to India this Delegation was first put forward to the British Prime Minister by a Member of this Assembly?

The Honourable Sir Edward Benthall: (a) As already announced in the Press Note which appeared in the newspapers of the 12th January 1946, His Majesty's Government is meeting all the expenses connected with the Parliamentary Delegation's visit to India. A small secretarial staff and a meeting room were provided by the Government of India for the convenience of the Delegation.

(b) No.

(c) I have no information.

MEAGRE REPARATIONS FOR INDIA FROM GERMANY

474. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member please state on what principles reparations from Germany were decided?

(b) Have the Government of India represented that the sacrifice in men and money and in deprivations, diseases and death was actually bigger for India than any other belligerent?

(c) Have they represented that, compared to her capacity, much larger financial burdens were thrown on India during the war period?

(d) In view of these and other circumstances, have they represented that the share coming to India is very meagre and unsatisfactory?

The Honourable Dr. Sir M. Azizul Huque: (a) The main principles on the basis of which allocations of German reparations have been made are:

(1) budgetary cost,

(2) costs of direct damage and occupation,

(3) man-years allocable to the war effort in respect of the armed forces and those spent in munitions industries, and

(4) losses of life both of armed forces and of civilians.

(b), (c) and (d). Yes. India has been allotted 2 per cent. of general reparations and 2·9 per cent. of capital and industrial equipment and in view of the decisions at the Paris Conference, the question of any further representation for the time does not arise.

TRANSFER OF U. K. SHARE OF REPARATIONS TO INDIA

475. **Mr. Manu Subedar:** (a) Has the Honourable the Commerce Member represented that the entire share coming to the United Kingdom in the matter of reparations should be transferred to India, in view of the very heavy debt which the U.K. is owing to this country?

(b) Have Government represented that merchant ships, which are coming as part of these reparations, should be transferred in a proportion larger than the two per cent. overall, in view of the special needs of India in the case of merchant shipping?

(c) Have the Government of India appropriated any sums to the credit of Germany and Italy, which may be with the Custodian of Enemy Property? If so, what are these sums, and where are they at present?

(d) On what basis are these sums going to be used?

(e) Is it intended that a part of them will be given to those Indian nationals, who have incurred losses of their assets in enemy countries?

The Honourable Dr. Sir M. Azizul Huque: (a) No.

(b) A claim on behalf of India for a share in the German merchant navy was pressed at the German Reparations Conference in Paris. But there does not appear to be any chance of ships being available to India as the allocation of merchant shipping is to be in proportion to shipping losses.

(c) and (d). The only sums appropriated by the Government of India out of the amounts lying to the credit of Germany and Italy are (1) those realised on account of fees due to Custodian of Enemy Property under paragraph 11 of Enemy Property (Custody and Registration) Order, 1939, and (2) payments made by the Custodian on account of Income-tax due on the post-vesting incomes of German and Italian nationals and concerns. The amounts of fee levied under (1) are:

(i) from German assets—Rs. 9,10,900.
(ii) from Italian assets—Rs. 89,200

The figures are inclusive of amounts levied from the beginning of the war to the end of the financial year 1944-45. Figures in respect of income-tax under (2) above are not readily available.

The sums realised under (1) above have been credited to Government Revenues as fees levied for the purpose of meeting expenditure incurred by Government for the custody and preservation of enemy property in contemplation of arrangements to be made at the conclusion of peace. All payments under (2) above have been credited to Government Revenues under the head "Income-tax other than Corporation Tax".

(e) Does not arise.

EXPORT OF UNAUTHORISED FOODGRAINS FROM CERTAIN PORTS IN INDIA

476 *Mr. Manu Subedar: (a) Has the Food Secretary looked closely into the export of unauthorised foodgrains from the ports of Portuguese India and from certain other ports from the western coast of India?

(b) What steps have they taken to deal with this kind of leakage in the available food supply?

(c) What control have Government got over the Provincial Governments in the matter of the ukases, by which they not only prevent movement of food material between one district and another inside the Province, but have imposed absolute prohibitions with regard to the movement of foodgrains, milk products, ghee, sugar and other articles as between one Province and another?

(d) Have Government got any estimate of the reserves and stock in trade in the matter of foodgrains and other useful food items carried by private individuals in various Provinces, as against the reserves carried by Government and the rationing authorities?

(e) Is it a fact that transport difficulties in the matter of foodgrains still continue even in the case of Provincial Governments and rationing authorities?

Mr. B. R. Sen: (a) and (b). No cases of unauthorised export of foodgrains from ports mentioned by the Honourable Member have been brought to the notice of Government.

(c) Movements between one district and another of a province are primarily the concern of the Provincial Government and the Central Government do not intervene in such cases. As regards prohibition of movement of foodgrains between one province and another, this is an integral part of our scheme of distribution of surpluses under the Basic Plan. As to other foodstuffs there is now an understanding between the Provincial Governments and the Government of India that no such restrictions will be imposed without consultation with the Central Government.

(d) No, Sir. But Provincial Governments have returns of stocks of foodgrains held by licensees under Provincial Foodgrains Control Orders which generally prohibit the holding of stocks exceeding 20 maunds by non-licensees.

(e) The transport position is generally easier than it was during war-time and movement of foodgrains is given very high priority

Export of Food Materials from India

477. *Mr. Manu Subedar: (a) Has the Food Secretary got any estimate of the number of parcels containing food material, which are sent out from India by Army personnel and civilians to the United Kingdom and other countries?

(b) Is it a fact that such despatch had very much increased during the years of war? If so, do Government propose to put a check now on the total volume of food material, particularly butter, leaving this country by this method, in view of the shortage in India generally?

(c) Have Government got any estimate of the amount of animals, meat, foodgrains, milk products, ghee and sugar leaving India as provisions in the ships that call at Indian ports and leave Indian shores for outside destinations either with military personnel or with civil passengers?

Mr. B. R. Sen: (a) No, Sir.

(b) It is likely that the number of such parcels went up during the war years. Export of butter by civilians in such parcels is already prohibited. The whole question is being re-examined in the light of the recent deterioration in the food situation.

(c) Yes. The returns received from the Export Trade Controllers show that from July to December 1945, ships calling at Indian ports took on board about 650 poultry, 190 tons of foodgrains, 14 tons of ghee and butter, one cwt. of other milk products and 25 tons of sugar per month on an average.

Admission of Government of India Scholars as Apprentices in Factories in England

478. *Prof. N. G. Ranga: Will the Education Secretary be pleased to state:

(a) if it is a fact that a number of the Government of India scholars who were recently sent to England were admitted only into degree or diploma courses and not for research work; if so, how many were thus admitted for non-research work, and why;

(b) whether it is a fact that a number of scholars who had already taken M.Sc. and B.Sc. Degrees with high distinction are obliged to join for Degree courses again, and why;

(c) if it is a fact that the India House has pleaded its inability to get any good proportion of our scholars admitted as apprentices in factories; and

(d) what special steps Government propose to take to prevent this waste of time of our scholars?

Dr. John Sargent: (a) and (b). It is a fact that in some cases, the Government of India scholars who have been sent to the United Kingdom have been admitted to Honours Degree or Diploma courses. Total figures are not yet available but the number of such cases is not large. For instance, information

received from the High Commissioner in regard to students at Manchester, Sheffield and Newcastle-on-Tyne shows that 21 Central and 11 Provincial sponsored students are doing post-graduate courses as against 5 Central and 5 Provincial students who are doing an Honours Degree or Diploma course. In a few cases genuine mistakes have been made, which are now being rectified but the main reason why some students have been allocated to Honours Degree or Diploma courses rather than to Post-graduate research is that although they may have good science degrees of the ordinary kind their qualifications do not provide an adequate background for an advanced study of the special subjects for which they were selected. In the case of a number of subjects regarded as of great importance for India's post-war development the facilities in this country have been either non-existent or of an elementary character. Students of these must therefore begin more or less at the beginning. Another reason is that for certain subjects the best training is provided in Polytechnics which only offer Diploma courses These are not familiar to and, therefore, not appreciated by some of our students who are inclined to consider a Doctorate as always a better qualification than a Diploma.

(c) The scheme which is being administered by the Education Department provides only for educational courses and not for apprenticeship in factories though in the case of nearly all technological courses a period or periods of practical training in industry will form part of the course Arrangements for this are made by the educational institutions concerned. This was made clear in the brochure of information issued to students and at the interviews. No complaints in this respect have come to our notice.

If, however, the Honourable Member refers to apprenticeship in factories under the Technical Training Scheme administered by Labour Department, I understand that the British Ministry of Labour and National Service, through whom such apprenticeship is being arranged, has assured the High Commissioner that apprenticeship facilities will be made available for our technicians as soon as possible, but that there may be some delay or difficulty on account of the fact that the British industry is at present engaged in the process of re-conversion from war to peace activities.

(d) There are only a few cases in which genuine errors appear to have occurred. All those cases are being looked into urgently and my latest information is that most of them have been already put right Two senior officers of this Department have been specially deputed to London as Educational Liaison Officers to strenghthen the High Commissioner's Education Department and to assist in regard to the placing and general welfare of Indian students. Reports recently received from them indicate thtat the authorities of Universities and Technical Colleges, in spite of the great pressure on their accommodation at the present time, are adopting a very sympathetic attitude towards the needs of Indian students.

Breach of Agreement between State of Sirohi and Government

479. *Mr. Vadilal Lallubhai: Will the Honourable the Leader of the House be pleased to state:

(a) whether he is aware of any departures from the terms of the agreement reached between the State of Sirohi and the Government on the 1st October 1917;

(b) if the reply to (a) be in the affirmative, on what grounds they are allowed; and

(c) if the reply to (a) is in the negative, whether it is a fact that taxes are levied on pilgrims to Mount Abu by Government authorities in direct contravention to Clause No. 21, Appendix A, of the said Agreement; if so, whether Government propose to give assurance that they will be removed immediately?

The Honourable Sir Edward Benthall: (a) No.

(b) Does not arise.

(c) No special tax is levied on pilgrims *as such* entering the Leased Area of Abu, but since 1924, a Visitors Tax has been recovered from all classes of visitors entering the Abu Municipal Area, which is co-extensive with the Leased Area, except those entering on foot. The proceeds of the tax are utilised for defraying the heavy expenditure incurred in providing essential services and amenities for the inhabitants of, and visitors to, Mount Abu.

REPERCUSSIONS OF INDIA'S IMPORT TRADE ON INDIGENOUS INDUSTRIES

480. ***Mr. Vadilal Lallubhai:** Will the Honourable the Commerce Member be pleased to state:

(a) the present composition of India's import trade as between the consumers' goods and capital goods;

(b) whether he has examined the figures of our imports and exports during the last seven months of the current financial year; if so, why recently our exports are dwindling;

(c) if it is a fact that our imports contain a major proportion of consumers' goods;

(d) if the reply to (c) is in the affirmative, whether Government have taken into consideration its repercussions on the respective indigenous industries which eventually will face the problem of severe competition from abroad; if so, in what way; and

(e) whether the Government of India have in view any policy in regard to protection of indigenous industries from the danger of foreign competition; if they have any, the outlines of the same?

The Honourable Dr. Sir M. Azizul Huque: (a) I lay on the table a statement showing imports of consumer goods and capital and other classes of goods during the eight months of the current financial year (April-November 1945) for which figures are available.

(b) Yes, for eight months as mentioned above. Exports of Indian merchandise during this period were actually higher than those in the corresponding period of the financial year 1944-45 or 1943-44.

(c) The position is that even taking into account motor spirit and kerosene under consumer goods the trend of import trade is more or less equally divided between consumer goods and other classes of goods including capital goods.

(d) and (e). Yes. I may invite the attention of the Honourable Member to my answer on the 5th February, to Mr. Manu Subedar's Starred Question No. 21, about Government's long-term tariff policy. An interim Tariff Board has also been set up to investigate the claims of industries started or developed during the war and I lay on the table a copy of the Commerce Department Resolution, dated 3rd November 1945, setting up the Board. Government will take steps to ensure speedy action on the recommendations of the Tariff Board.

Statement showing import of consumer and capital goods into British India during the period April to November 1945

	Rs. (lakhs)	
Consumer goods—		
Food, drink and tobacco	14,65	
Motor spirit, kerosene, vegetable oil, copra kernel	46,27	
Manufactured articles	19,83	
Postal articles and baggage	2,01	
		82,76
Capital goods—		
Machinery of all kinds	...	12,98
Other classes of goods—		
Raw materials as well as semi-manufactured articles.	...	86,48
Total Imports	...	1,82,22

DEPARTMENT OF COMMERCE

RESOLUTION

TARIFFS

New Delhi, the 3rd November 1945

No. 218-*T.* (55)/45.—In the statement on industrial policy issued by the Government of India on the 23rd April 1945, it was announced that, pending the formulation of a tariff policy appropriate to the postwar needs and conditions of the country and the establishment of permanent machinery for the purpose, Government would set up machinery for investigating claims from industries, which have been started or developed in war-time and which are established on sound lines, to assistance or protection during the transition period. A press communique issued on the same date invited industries to address their claims to the Secretary to the Government of India in the Department of Commerce.

2. Several industries have accordingly applied for assistance or protection, and on a preliminary examination of their claims, the Government of India have come to the conclusion that applications submitted by the following industries call for a detailed examination :—

(i) non-ferrous metals, including antimony;
(ii) grinding wheels;
(iii) caustic soda and bleaching powder;
(iv) sodium thiosulphate, sodium sulphite anhydrous, sodium bisulphite;
(v) phosphates and phosphoric acid;
(vi) butter colour, aerated water powder colour;
(vii) rubber manufactures;
(viii) fire hose;
(ix) wood screws;
(x) steel hoops for baling

Other applications are under the consideration of Government, and further action in their case will be taken in due course.

3. In addition to the industries which have applied for assistance or protection, there are certain industries the starting of which was considered essential by the Government of India under conditions created by the war. Early in 1940 Government announced that specified industries promoted with their direct encouragement during war-time might feel assured that, if they were conducted on sound business lines, they would, by such measures as Government might devise, be protected against unfair competition from outside India. In accordance with this decision, the following industries have been given an assurance of protection against unfair competition after the war :—

(i) bichromates;
(ii) steel pipes and tubes up to a nominal bore of 4 inches;
(iii) aluminium;
(iv) calcium chloride;
(v) calcium carbide;
(vi) starch

Of these industries, only those engaged in the manufacture of bichromates, calcium chloride and starch have so far applied for assistance or protection during the transition period. The Government of India consider that the applications submitted by these three industries also call for immediate investigation

4. For the purpose of these and any subsequent investigations, the Government of India have decided to set up a Tariff Board for a period not exceeding two years, in the first instance. The Board will consist of :—

PRESIDENT :

Sir R. K. Shanmukham Chetty, K.C.I.E.

MEMBERS :

Mr. C. C. Desai, C.I.E., I.C.S.
Prof. H. L. Dey, D.Sc. (London)

The Board will include one more Member whose name will be announced shortly. Mr. Desai will act as Secretary to the Board in addition to his duties as Member.

5. The Tariff Board is requested to undertake, in such order as it thinks fit, the investigation of claims put forward by the industries specified in paragraphs 2 and 3 above. In the case of each industry the Board will, after such examination as it considers necessary, report whether the industry satisfies the following conditions :—

(1) that it is established and conducted on sound business lines; and

(2) (a) that, having regard to the natural or economic advantages enjoyed by the industry and its actual or probable costs, it is likely within a reasonable time to develop sufficiently to be able to carry on successfully without protection or State assistance; or

(b) that it is an industry to which it is desirable in the national interest to grant protection or assistance and that the probable cost of such protection or assistance to the community is not excessive. Where a claim to protection or assistance is found to be established *i.e.*, if condition (1) and condition (2) (a) or (b) are satisfied, the Board will recommend—

(i) whether, at what rate and in respect of what articles or class or description of articles, a protective duty should be imposed;

(ii) what additional or alternative measures should be taken to protect or assist the industry; and

(iii) for what period, not exceeding three years, the tariff or other measures recommended should remain in force.

In making its recommendations the Board will give due weight to the interests of consumer in the light of the prevailing conditions and also consider how the recommendations affect industries using the articles in respect of which protection is to be granted. Since relief, to be effective, should be afforded without delay the Board is requested to complete its enquiries with all possible expedition and to submit a report as soon as the investigation of the claim of each industry is concluded.

6. The headquarters of the Board will be at Bombay, but it will visit such other places as it thinks necessary for purposes of its enquiries. Firms and persons interested in any of these industries, or in industries dependent on the use of the products of these industries, who desire that their views should be considered, should address their representations to the Secretary to the Board.

7. Any claims hereafter received from other industries which in the opinion of the Government of India are suitable for examination by the Board will be referred to the Board in due course for examination.

8. The Government of India trust that Provincial Governments and Administrations will afford the Board all the assistance which it may require and will comply with any request for information which may be addressed to them by it

ORDER

ORDERED that a copy of this Resolution be communicated to all Provincial Governments, all Chief Commissioners, the several Departments of the Government of India, the Political Department, the Private and Military Secretaries to His Excellency the Viceroy, the Central Board of Revenue, the Auditor General, the High Commissioner for India in London, the Economic Adviser to the Government of India, the Director of Commercial Intelligence, Calcutta, the Indian Trade Commissioner, London, the Indian Government Trade Commissioners at New York, Buenos Aires Toronto Alexandria, Mombasa Tehran and Sydney, His Majesty's Trade Commissioner in India, the American Consulate General, Calcutta, the Canadian Trade Commissioner in India the Australian Trade Commissioner in India, the Secretary, Tariff Board, Bombay and all the recognised Chambers of Commerce and Associations

ORDERED that a copy be communicated to the Government of Burma.

ORDERED also that it be published in the *Gazette of India*

N. R. PILLAI, Secy.

WORKING HOURS OF FACTORY WORKERS IN INDIA

481. *Mr. Vadilal Lallubhai: Will the Honourable the Labour Member kindly state:

(a) the actual daily working hours of factory workers in India according to different industries including collieries and plantations;

(b) the total number of factories coming under the purview of the Indian Factories Act, 1934;

(c) how many of them are working one shift, how many of them two shifts and how many of them three shifts; and

(d) the working hours in each shift?

The Honourable Dr. B. R. Ambedkar: (a) Two statements showing the daily working hours in industries and plantations are placed on the table of the House. No detailed information about the actual working hours in collieries is available.

(b) Total number of factories under the Factories Act was 14,922 in 1944, the last year for which figures are available.

(c) and (d). No information is available.

Statement showing hours of work per day in factories

1. Cotton	7½—10	
2. Jute	9 —12	
3. Silk	7½— 9	
4. Woolen	9 —10	
5. Engineerig (including railway workshops.)	7½— 12	for shift workers (in some cases night shift workers work for 7 hours).
6. Matches	8½—10	
7. Potteries	8	for shift workers.
	9	for general workers.
8. Printing Presses	7½— 8½	
9. Glass	7½— 9	for shift workers.
	10	for general workers.
10. Chemical and Pharmaceutical works.	7 —10	
11. Sugar	8	for Manufacturing section.
	8—9	for Engineering section.
12. Cotton Ginning and Bailing	9 —10	
13. Rice Mills	7 —10	
14. Cement	7½— 8	for shift workers.
	8 — 9	for general workers.
15. Paper	7 — 8	in continuous process shifts.
16. Mica Factories	9	
17. Shellac Manufacture	8 — 10	
18. Bidi, Cigar and Cigarettes	11 — 12	for bidi and cigar.
	8 — 9	for cigarettes.
19. Carpet Weaving	9 — 10	
20. Tanneries and Leather goods manufacture.	U. P.	Madras
	9	Day shift 8½
	8 — 9	Night shift.
21. Coir Matting	9	for men.
	8	for women.
	5	for children.

Statement showing daily hours of work in Plantations

Assam and Bengal—	
Tea Gardens—	
Hazaria basis (normal working time)	5—6
Ticca bassis (overtime)	3—4
Pluckers	10—11
Kangra Valley	8—9
Dehra Dun	8
Almora	6
Tea and Coffee Estates in South India	8—9
Rubber Estates	5—7

PRAYER FACILITIES FOR MUSLIM EMPLOYEES OF GOVERNMENT OF INDIA PRESS, NEW DELHI

482. *Nawab Siddique Ali Khan: (a) Will the Honourable the Labour Member please state whether the Government of India Press, New Delhi, had a big room set apart for prayers for the Muslim employees who used to offer their prayers therein since the beginning?

(b) Are Government aware that the Public Works Department have taken away the big room and given a small room which is insufficient for the Muslim employees to offer their prayers, and that they have to offer it now in batches?

(c) Are Government aware that the Muslim employees submitted an application for the allotment of a big room to the Controller and that the question

was also raised in the Works Committee but the present Controller not only did not take any action, but is even trying to get the small room also vacated?

(d) Do Government propose to allot a big room as before so that the Muslim employees may offer their prayers therein with ease?

The Honourable Dr. B. R. Ambedkar: (a) and (b). The 'Big' room referred to is the Muslim Tiffin Room which was being used without permission for occasional prayers by the Muslim employees of the Government of India Press, New Delhi, and the dining was being done in the manufacturing room. This was objected to by the Medical Officer of Health, New Delhi Municipal Committee. It was, therefore, necessary to use the tiffin room exclusively for the purposes for which it was constructed.

(c) Yes, the application has been submitted by the Controller to the Government of India. The statement made in the latter part of the question is not correct.

(d) No big room had previously been allotted

DEDUCTION OF FRIDAY PRAYER-TIME FROM GOVERNMENT OF INDIA PRESS STAFF'S OVERTIME

483. *Nawab Siddique Ali Khan: (a) Will the Honourable the Labour Member be pleased to state whether the one hour concession for Friday prayers granted to the Government of India Press Staff is deducted from their overtime?

(b) Is it a fact that up to 1928 the one hour allowed for Friday prayers was not deducted from overtime and the same hour was counted for attendance on duty?

(c) Do Government propose to count this one hour concession for Friday prayers in duty hours, as the hour is used for prayers only and not for any other private work?

The Honourable Dr. B. R. Ambedkar: (a) Yes

(b) Yes, but upto 1931.

(c) No. Attention of the Honourable Member is drawn to the reply given in the Legislative Assembly on the 20th August 1934, by the Honourable Sir Frank Noyce to starred question No. 668.

PROTECTION OF INDIAN SUGAR INDUSTRY

484. *Prof. N. G. Ranga: Will the Honourable the Commerce Member be pleased to state what steps Government propose to take to afford adequate protection to the Indian Sugar Industry in view of the fact that the existing protection is due to expire in March, 1946?

The Honourable Dr. Sir M. Asizul Huque: Government propose to continue for a further period of one year from 31st March 1946, the existing level of protection to the Indian Sugar Industry, pending a detailed investigation by a Tariff Board under more normal conditions.

FACILITIES FOR AGRICULTURE IN THE CENTRAL PROVINCES AND BERAR

485. *Seth Govind Das: (a) Will the Agriculture Secretary please state if Government are conscious of the fact that agriculture in the Central Provinces and Berar and specially in the northern districts of the Province is badly suffering for want of labourers as *bidi* factories have absorbed most of the labourers of the villages who do not like to work in fields? If so, what steps do Government propose to take in this direction to see that agriculture does not suffer for lack of labourers?

(b) Is it a fact that prices of bullocks have gone very high in these days and cultivators do not get bullocks for cultivation? If so, what arrangements, if any, do Government propose to make for supplying bullocks to agriculturists on reasonable prices?

(c) Are Government prepared to give necessary facilities for importing cattle specially cows and bullocks from one Province to another?

(d) In view of the growing scarcity of bullocks and labourers in the villages of India, what arrangements, if any, do Government propose to make for the import of agricultural machinery? What facilities can be given to agriculturists for purchasing these machines?

Sir Pheroze Kharegat: (a) Government are aware of the fact that complaints to this effect were made to the Government of the Central Provinces and Berar who investigated them and came to the conclusion that though there was a shortage of labour, it could not be attributed wholly or even largely to the *bidi* industry, the latter had not affected agricultural operations appreciably. Accordingly the Provincial Government decided that no action was necessary.

(b) The price of bullocks has risen but in most areas such rise is in proportion to the general rise in the prices of agricultural commodities. Generally speaking, cultivation has not been held up because of lack of bullocks, but loans are being given by several Provincial Governments where required for the purchase of bullocks. It is not considered feasible to control bullock prices. The general measures being taken for the improvement of cattle will it is hoped make more bullocks available.

(c) Bans on the export of cattle from their territories have been imposed by several Provincial and State Governments. The Central Government have under consideration a proposal to call a conference of provincial representatives to discuss the question of the continuance or otherwise of these bans.

(d) Orders have already been placed for the import of tractors in accordance with the requirements of Provincial Governments. An officer has been sent to the U.S.A. to try and expedite the supply of these tractors. Tractors and other agricultural machinery available in India as surplus are also being taken over for distribution to Provincial Governments or failing them to others who need them. Import licences are freely granted to firms or individuals who desire to import agricultural machinery and tractors.

Export Facilities to meet Fodder-Famine in South India

486. *Seth Govind Das: (a) Is the Agriculture Secretary aware of the fact that this year there is a fodder-famine in South India specially Karnatak? If so, what arrangements do Government propose to make to meet it?

(b) Do Government propose to send fodder from the Central Provinces to these scarcity affected places, if so, what facilities can be given to individuals to encourage them to export fodder from that Province?

(c) What facilities have Government given or propose to give to the public for growing more fodder?

(d) Do Government propose to throw open some reserve forests for free-grazing all over India as has been recently done by the Bombay Government?

(e) Do Government propose to give any grant to the public for converting small useless forests into good pastures? If not, why not, and do Government propose to reconsider the matter, in view of the shortage of fodder in the country every year?

Sir Pheroze Kharegat: (a) Yes. The Government of Madras have instructed the Forest Department to make as much hay and silage as possible for supply to famine stricken areas and have decided that the Bellary fodder division which was constituted for collection and supply of hay to the Military Farms Department should be expanded and two-thirds of the quota proposed for it should be diverted to meet civilian demands.

(b) An enquiry has been made from the Madras and Bombay Governments as to whether and how much fodder is needed from outside and from the Government of the Central Provinces and the Eastern States Agency as to how far they can arrange to supply such fodder.

(c) All the facilities provided in connection with the "Grow More Food" campaign are available for the growing of more food and fodder.

(d) The desirability of taking action on these lines has been commended to Provincial Governments for their consideration.

(e) Any concrete proposal received for this purpose through the Provincial Government concerned will be considered on its merits.

INSTRUCTIONS TO PROVINCIAL GOVERNMENTS FOR PREVENTION OF SLAUGHTER OF CERTAIN ANIMALS

487. *Pundit Thakur Das Bhargava: (a) Will the Agriculture Secretary kindly state if it is a fact that the Government of India issued instructions to the Provincial Governments that slaughter of certain classes of animals including milch and pregnant cows and buffaloes be prohibited?

(b) Is it a fact that several Provincial Governments have not so far prohibited such slaughter? If so, which Provincial Governments have not complied with these instructions?

(c) Do Government propose to remind the defaulting Provincial Governments to carry out the instructions of the Government of India in this regard?

Sir Pheroze Kharegat: (a) The Government of India have not issued instructions to Provincial Governments. They did, however, suggest to them that they might impose restrictions on cattle slaughter for civil purposes similar to those imposed by the Central Government on slaughter for army requirements.

(b) Two Provinces—the Punjab and the North-West Frontier Province—have not imposed any such restrictions.

(c) As these Governments do not consider it necessary or desirable to impose such restrictions, no useful purpose will be served by issuing reminders.

SLOW PROGRESS OF EDUCATION IN ASSAM

488. *Sreejut Rohini Kumar Choudhuri: (a) Is the Education Secretary aware that progress of education in Assam has been greatly retarded during the last three years owing to the fact that an adequate quantity of kerosene oil for reading after nightfall was not given to the students and that the educational buildings and hostels attached thereto were in occupation of the Army Department?

(b) Is it a fact that for the above reasons students from Assam had heavily suffered in the results of the University examinations held in that Province?

(c) In view of the fact that University and School examinations will be held shortly, do Government propose to take necessary steps with the Departments concerned in order to give greater facilities for studies now?

(d) Are Government aware that notwithstanding their best efforts, the Government of Assam had failed so far either to get an increased quota of kerosene oil or to get educational buildings released?

Dr. John Sargent: (a) The Government of India are aware that the progress of education in Assam as elsewhere has been slowed up owing to the war. The causes mentioned by the Honourable Member may have contributed to this but cannot be regarded as the sole determining factors.

(b) and (c). The Government of India have no information in regard to this matter, but I shall be glad to bring it to the attention of the Provincial Government which is responsible for education in its area.

(d) No. The present supplies of kerosene oil are uniform throughout India and the internal distribution of kerosene oil is the responsibility of the Provincial Government.

As regards the release of educational buildings, the matter has presumably been taken up by the Government of Assam with the Military Authorities direct. Education Department have not so far received any request from the Provincial Government for any assistance in this connection. They have taken up the general question of the early release of educational buildings with authorities concerned who have agreed to a high priority.

EXPERIMENTS OF FRUIT SPECIALISTS UNDER IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

489. *Pundit Thakur Das Bhargava: (a) Will the Agriculture Secretary be leased to state the names of fruits on which experiments have been conducted uring the last four years by fruit specialists under the auspices of the Imperial ouncil of Agricultural Research?

(b) Have these experiments succeeded in making fruit squashes? If so, of hat fruits?

Sir Pheroze Kharegat: (a) A statement is laid on the table showing for ach Province the names of the fruits and the nature of the work carried out n connection with them.

(b) Yes, in respect of apples, *falsa*, grapes, *jamans*, lemons, limes, *maltas*, mangoes, passion fruit, peaches, plums and *sangtaras*.

Name of Scheme	Fruits on which work has been carried out	Nature of work
1. Fruit Research, Madras	Orange, acid lime	Rootstock trials, progeny tests, variety collections, seedling citrus collections and acid lime pruning trials.
	Mango	Orchard performance in relation to propagational methods, age of rootstocks as a factor in orchard economy, poly-embryonic rootstocks' trial, double working trials, preliminary work on hybridization of mangoes and variety collections.
	Sapotas, Pomegrantes, guavas, grapes, loquats, figs, jack fruits.	Variety collections.
2. Fruit Research, Bengal	Mango	Varietal trial, propagation experiments, budding, inarching, marcotting and raising seedlings by different methods.
	Litchi	Varietal trial and different methods of marcotting.
	Citrus	Varietal trial, collection of varieties, wetherin', budding and grafting and liming experiment.
	Guavas	Varietal trial, pruning and bending to induce higher yield.
	Papaya	Varietal trial, planting at different times and transplanting experiment.
	Pineapple	Verietal trial, hybridisation and experiments to find out best propagation material.
	Banana	Varietal trial, detailed study of successful varieties, preliminary study with a view to hybridisation work.
3. Hill Fruit Research	Apple	Developmental, horticultural, soil chemistry, mycological and entomological.
4. Citrus Rootstock and Grapevine, Punjab.	Malta local, Malta blood, Sangtara local and Marsh grapefruit.	Rootstock investigations and grapevines hybridisation.

Name of Scheme	Fruits on which work has been carried out	Nature of work
5. Manurial Trials on Citrus, Punjab.	Malta, Sangtara, and grape fruit.	Physical and chemical analysis soil, studying the effect of vario fertilisers on citrus, the record random or individual tree record of cultural practice morphological study and physic chemical analysis.
6. Special Research on Fruit and Vegetable Preservation, Punjab.	Plums, peaches, apricots and pears.	Determination of canning qua ties, suitability of black ste plate containers for preserv fruit products, hydrogen swell preparation of fruit juice co centrates, analysis of fruit an vegetable products prepare under Agmark scheme an advisory work.
7. Fruit and Vegetable Preservation, Punjab.	Malta, lemon, sour lime, *sangtra*, *falsa*, *jaman*, apple, grape, passion fruit, mango, plum and tomato.	Standardisation of the methods preparation and presservation various fruit and vegetable pro ucts like juices, squashe cordials and concentrates.
	Pear, mango, grape, peas and green gram.	Preparation of canned and bottle products.
	Plum, pear, guava and citrus fruits.	Preparation of jams, jellies an marmalades.
	Tamato, mango, waste apple and dates.	Preparation of chutneys, ketchu and vinegar.
	Malta, lemon and galgal.	Preparation of citric acid, alkal citrates, essential oils and pectin
	Orange and *ber* . .	Preparation of candy.
8. Fruit Research, Bihar .	Mango . . .	Relation of flowering to cropping effect of flowering on manuring and ringir variety breeding, stock action relationship and dwarfing stock, propagation, nutrition, poteulture, manuing, rejuvenation and renovation of orchard.
	Papaya	Breeding.
9. Citrus Fruit Scheme, C. P.	Citrus .	Survey of existing orchard root stock, citrus collection, manuring, irrigational investigations, pruning and training investigations, root pruning and inter-cropping with vegetables.
10. Harticulture Research, N.-W.F.P.	Peach, plum, pear, apricot and grape.	Introduction and selection of varieties, irrigation requirements of speach trees, nutritive requirements of peach and standardisation of the pruning system for peaches.
11. Citrus Fruit, Assam .	Citrus .	Collection and classification planting of seedling progenies, budding, indigenous stock trial experiment, co-operative stock trial experiment, manurial experiment with Khasi orange trees and performance records.

Name of Scheme	Fruits on which work has been carried out	Nature of work
12. Citrus fruit research, Orissa.	Citrus .	Root-stock trial for sanara orange trial of exotic citrus varieties, manurial and irrigational trials.
13. Fruit res., Hyderabad .	Custard apl	Classification of varieties, Preliminary observation, Test for different varieties, propagation methods, trials for evolving a seedless variety, utilisation of the surplus produce, cultural operations and study of the different kinds of Anhonas.
	Grapes .	Classification of local varieties, comparison of different varieties, pruning, trellising and control of insect pests and diseases.
14. Fruit research, Mysore .	Apple	Stock trial, varietal, trial, combined manurial and irrigation experiment, pollination experiment, root study, thinning exprimenta am keeping quality.
	Pineapple .	Combined manurial and varietal trial, introduction and multiplication of new varieties preparatory to statistical trial.
	Figs . .	Verietal trial.
	Peach . .	Study of the varieties Saharanpur, Indore and Bangalore and introduction of Quetta and Peshawar varieties.
	Papaya .	Seedlings from selected varieties have been raised for planting and papain extraction.
	Guavas .	Observations on the yield, colour, size of Safeda, Seedless, Benares, Allahabad and Bangalore.
	Litchi . .	Varietal trial of Early and Late Bedara and Rose Scented.
	Avocado . .	Observation on the maturity an yield of Trap, Pollock, Dutton and Lyon.
15. Orange	Orange . .	Marketing survey, investigations into packing of oranges, organising a co-operative marketing society, marketing arrangements for disposal of fruits, grading under the Agmark, and investigation into cold storage processes.
6. Orange res., Coorg . .	Orange . .	Observation on diseases and pests, cultural and manurial treatment, inter-cropping, shade and pruning and nursery yield recording of promising trees.
7. Citrus grading, Madras .	Orange . . .	Grading of oranges.

Name of Scheme	Fruits on which work has been carried out	Nature of work
18. Canning and fruit preserving, Quetta.	Apricots, plums, peaches, grapes, melons, apples, peas, tomatoes, cherries, fruit salad dates, pimentoes.	Canning experiments.
	Peach	Preparation of squash.
	Mulberry, plum, apricot, pomegranate, grape and date.	Preparation of syrup.
	Pomegranate, grape	Preparation of juice.
	Melon, grape, apple	Preparation of jams and jellies.
	Plums, grapes, peas, tomatoes.	Drying.
	Grapes and raisins	Fermentation studies.
	Tomatoes	Preparation of ketchup, sauce soup, puree and juice.
19. Citrus Die-back, Bombay 20. Citrus Die-back, C. P.	Citrus	To survey and classify citrus 'Die back' found in Peninsula, India C. P., and Orissa, to estimate the damage due to each of these diseases, and to make observations on the conditions under which these diseases occur.
21. Mango Necrosis, Lucknow University.	Mango	Survey, Injuction experiments to produce necrosis artificially, histopathology and chemical studies.
22. San Jose Scale and Woolly aphis, Kashmir.	Apple, cherry and plum	Ecological, life history, control measures, varietal susceptibility and fumigation.
23. Cytogenetics of mango and banans, Calcutta University.	Mango	Cytological observations, pollen analysis and morphological and cytological observations.
	Banana	Cytological examination of representative species, pollen analysis and the viability of pollen grains of different varieties to be compared.

Analysis of Constituents of Press advertised Medicines

490. *Pundit Thakur Das Bhargava: Will the Health Secretary kindly state if there was or is at present an arrangement with or under the Government of India to analyse the constituents of press advertised medicines prepared according to different indigenous systems of treatment in India? If not, do Government propose, in the public interest, to make such arrangements?

Mr. S. H. Y. Oulsnam: The answer to the first part is in the negative. As regards the second part it is understood that there are no scientific standards for such medicines and analysis would therefore serve no purpose.

Number of Hospitals in Centrally Administered Areas

491. *Pundit Thakur Das Bhargava: Will the Health Secretary please state the number of Government and Government aided hospitals in the Centrally Administered Areas having library arrangements for their indoor patients?

Mr. S. H. Y. Oulsnam: The two Government hospitals in Coorg have small libraries for indoor patients. There are no libraries in the Government and Government aided hospitals in Delhi and Ajmer-Merwara. Information regarding Baluchistan has been called for and will be laid on the table of the house when received.

NUMBER OF SCHOOLS IN CENTRALLY ADMINISTERED AREAS

492. *Pundit Thakur Das Bhargava: Will the Health Secretary be pleased to state the number of Government, Government aided and Municipal Schools where students were examined for health in the Centrally Administered Areas during the year 1945 by qualified medical men as well as the number of such schools where such examination did not take place?

Dr. John Sargent: With your permission, Sir, I will answer this question.

The information is being collected and will be laid on the table of the House in due course.

PRIVATE CANDIDATES FOR M.A. EXAMINATION OF DELHI UNIVERSITY

493. *Pundit Thakur Das Bhargava: (a) Will the Education Secretary be pleased to state if it is a fact that only teachers, lawyers and librarians are authorised to go up as private candidates for the M.A. examination of the Delhi University?

(b) If the reply to (a) is in the affirmative, will Government kindly state the reasons why others are debarred from doing so?

Dr. John Sargent: (a) The only persons permitted to appear as private candidates at the M.A. Examination of Delhi University are teachers who fulfil certain conditions and women who are prevented by Social Custom or domestic circumstances from becoming members of one of the Colleges of the University.

(b) Delhi University is a teaching University and not merely an examining body. Therefore a course of study at the University is a condition precedent for all candidates for University examinations. Exception is made only in the case of teachers in order to enable them to improve their academic qualifications since they have generally remained in close touch with the subject of their study before they take the examination, and, in the case of women who, for the reasons mentioned in my reply to part (a) of the question are unable to become regular students at a College. The latter, are, however, required to become members of the Non-Collegiate Women's Delegacy established by the University for the purpose.

PUBLICATION OF REPORTS ON CERTAIN PRODUCTS IN VERNACULAR

494. *Pundit Thakur Das Bhargava: (a) Will the Agriculture Secretary kindly state if the various reports on food, milk, hides and other matters published by his Department are published in English only, or they are also published in different vernaculars for the benefit of the public of the various Provinces?

(b) If the answer is that they are published in the English language only, do Government propose to consider the advisability of publishing the same in the vernaculars?

Sir Pheroze Kharegat: (a) Marketing survey reports (to which presumably the question refers) are published only in English. But abridged editions of some of these reports have been published in the vernacular *viz.* those on wheat and eggs have been publishd in Urdu and Hindi and those on linseed in Urdu, Hindi, Bengali and Marathi. Provincial Governments have also been requested to consider the advisability of translating these abridged reports into the local languages.

(b) A small staff for translating reports into Urdu and Hindi has now been appointed; the work of publishing reports in other languages will be left to Provincial Governments.

UTILISATION OF TEMPORARY BUILDING IN NEW DELHI

495. *Sri M. Ananthasayanam Ayyangar: Will the Honourable the Labour Member please state:

(a) if all the temporary buildings, built for the War Department and other requirements including the returned American buildings on Queensway and other places are going to be utilized solely for office accommodation;

(b) if he will consider the desirability of using at least some of these buildings for housing the Government of India personnel, single persons or others, after making slight modifications in those buildings for residential purposes, and thus relieving the present housing shortage in Delhi; and

(c) whether, if Government is not prepared to undergo the necessary expense, he will let these buildings out on contract with the stipulation that they should be let out to the Government servants in the first instance?

The Honourable Dr. B. R. Ambedkar: (a) No.

(b) Yes—if and when any temporary buildings constructed for office purposes are no longer required as offices—and the sites on which they are constructed are not required for other purposes.

(c) This will be considered, but it is likely that Government will require the buildings for their own staff and in such case be likely to keep them under Government control.

REFUSAL OF PERMISSION TO MRS. TILAK TO ENTER INDIA

496. *Seth Govind Das: (a) Will the Secretary for Commonwealth Relations be pleased to state if it is a fact that one, Mrs. Tilak, who is now in Rangoon, has been refused permission by the Government of India to enter India? If so, why?

(b) Do Government now propose to re-consider their decision in this matter, in view of the fact that her husband, Mr. Tilak, has been recently released?

Mr. R. N. Banerjee: (a) No. The Honourable Member's attention is invited to the reply given by me to short notice question by Sri R. V. Reddiar, on the 14th February 1946

(b) Does not arise.

INDIA'S CLAIM FOR CANADA'S EXPORTABLE SURPLUS WHEAT

497. *Seth Govind Das: Will the Food Secretary be pleased to state:

(a) whether the Government of India are aware of the news by the A. P. of America, dated the 7th February, 1946, from Ottawa, that Canada is likely to have a large exportable surplus of wheat;

(b) whether Government are also aware of the statement that the surplus would be more than the minimum requirements of the United Kingdom;

(c) whether the Government of India are also aware that India's claims are more urgent than those of the United Kingdom; and

(d) if the answers to (a) to (c) are in the affirmative, what steps the Government of India propose to take in regard to establishing our claims and getting the maximum benefit out of the surplus wheat available from Canada?

Mr. B. R. Sen: (a) and (b). Yes.

(c) The statement that Canada's wheat surplus would be more than the minimum requirements of the United Kingdom merely denotes the extent of the surplus and does not imply that the United Kingdom's requirements will be the first charge on that surplus.

(d) The Government of India are taking all possible steps to impress India's need for the import of foodgrains on the London Food Council and the Combined Food Board, Washington.

STEPS TAKEN TO PROCURE WHEAT SUPPLY FROM AUSTRALIA

498. *Seth Govind Das: (a) Is the Food Secretary aware of the despatch of an urgent telegram from the British Prime Minister, Clement Attlee, to the Australian Premier, appealing for increased export of foodstuffs from Australia to England?

(b) Whether the Government of India have taken any steps to approach Australia for wheat supply?

(c) If they have not already done so, what steps they propose to take to obtain wheat from Australia?

Mr. B. R. Sen: (a) Yes.

(b) and (c). As all food surpluses are to be offered to and allocated by the Combined Food Board, Washington, the Government of India have placed their demands on the Board through the London Food Council. The Indian High Commissioner is in contact with the Australian Government to expedite despatches.

GOVERNMENT'S POLICY *re* MICA TRADE

499. *Babu Ram Narayan Singh: Will the Honourable the Labour Member please state:

(a) the policy and object of Government in regulating the Mica business and trade;

(b) the probable date by which the report of the Mica Enquiry Committee is to be printed and published; and

(c) the length of time to be taken by Government in considering the desirability of altogether removing or at least modifying the ban on the sale of Crude and Biina Mica under the Mica Control Order?

The Honourable Dr. B. R. Ambedkar: (a) The Government of India wish to improve the working conditions in the industry and to organise it on sound commercial lines so that Indian mica gets a fair price in the market.

(b) The report is under print and will be published as soon as printed copies are available.

(c) It is not possible to fix any date by which Government will take decisions on the recommendations of the Mica Enquiry Committee. Every endeavour will be made to do it as quickly as possible.

UNEMPLOYMENT DUE TO MICA CONTROL ORDER

500. *Babu Ram Narayan Singh: (a) Will the Honourable the Labour Member please state whether Government are aware that several lakhs of people in the Hazaribagh District have been thrown out of employment as a result of the introduction of the Mica Control Order?

(b) Are Government aware that several lakhs of people of the Hazaribagh District have Mica business as their only means of livelihood? If so, do Government propose to regulate the Mica business and the Mica Trade so as to safeguard their interests?

The Honourable Dr. B. R. Ambedkar: (a) The Government of India have no information that the introduction of the Mica Control Order has resulted the unemployment of several lakhs of people in the Hazaribagh District.

(b) Government are aware that a large number of people are engaged in the Mica business and in any scheme of improvement of the industry Government hope that their interests will not be ignored.

APPOINTMENT OF ECONOMIC ADVISER

501. *Prof. N. G. Ranga: Will the Honourable the Commerce Member be pleased to state:

(a) for what period the Economic Adviser was appointed;

(b) when it is likely to come to an end;

(c) whether any steps are being taken to secure the services of an Indian economist to take his place when he goes to England, or whether Government are contemplating the extension of the term of the present Economic Adviser; and

(d) whether Government are aware of the censure motion passed by the Assembly when he was appointed?

The Honourable Dr. Sir M. Azizul Huque: (a) The present Economic Adviser was originally appointed with effect from the 13th January 1938 for a period of 5 years, which has since been extended by 4 years.

(b) On the 12th January, 1947.

(c) The question of the appointment of a successor to the present Economic Adviser has not yet been taken up.

(d) Yes, Sir.

INDIAN OILSEEDS COMMITTEE BILL

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE

Sir Pheroze Kharegat (Secretary: Agriculture Department): Sir, I present the Report of the Select Committee on the Bill to provide for the creation of a fund to be expended by a Committee specially constituted for the improvement and development of the cultivation and marketing of oilseeds and of the production, manufacture and marketing of oilseeds products.

THE RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

SECOND STAGE—contd.

DEMAND NO. 1—RAILWAY BOARD—*contd.*

Financial position and policy of Railways

Mr. President: We now proceed with the cut motions Prof. Ranga

(The Honourable Member was not in his seat)

Pandit Thakurdas Bhargava.

(The Honourable Member was not in his seat but at this stage Prof. N. G. Ranga came into the Chamber.)

Mr. President: Prof. Ranga.

Prof. N. G. Ranga (Guntur *cum* Nellore Non-Muhammadan Rural): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs 100."

Mr. Ahmed E. H. Jaffer (Bombay Southern Division: Muhammadan Rural): May I ask, Sir, whether this principle will also apply when asking questions? Supposing an Honourable Member is absent when his name is called and approaches you later that he should be allowed to put his questions?

Mr. President: I have understood the Honourable Member's point. The principle will not apply. I am applying it here because the parties have arranged by mutual agreement that out of so many cut motions, only particular cut motions should be placed before the House; and as on this question there has been agreement between parties and the parties wish that these motions should be moved, I have called on the Honourable Member. The principle not apply even to other motions.

Prof. N. G. Ranga: Sir, my Honourable friend Sir Edward Benthall has posed a very important question the other day. He perhaps thought that it would prove extremely inconvenient to those of us who have been championing the cause of the third class passengers on the one side and of labour on the other. He seems to be under the impression that we do not want to raise or allow the Government to raise the general freights and rates because we will not be able to raise the general scale of wages and salaries and allowances that are being paid to labour employed on railways. To that my honourable friend Mr. Guruswami has already given his answer. He has indeed challenged the Railway Board to hand over the administration of the railways to railwaymen in order to prove that it will be possible for them to run the railway administration in such a manner that, without raising these freights and rates, it will be possible for them to assure the workers a better standard

of living and higher scales of wages and dearness allowances. If the Government doubts the feasibility of this challenge, then it is for them to accept it and then try and see. There is already a precedent there in Mexico. I think there was a precedent in Australia also. But I would like to add just one amendment to that. There is an experiment being made in Soviet Russia in regard to the control of industries. They have what is known as triangular control of industries—a tripartite control—that is, between the managers or the railway administration, the workers themselves or their trade unions, and lastly the Government or the community as a whole. All these three come into partnership in the administration of railways and in various state enterprises in Soviet Russia. Allow such an experiment on those lines here. If the Government are not prepared to hand over the railways to the workers alone employed therein—let them hand it over to this kind of tripartite management that I have suggested. Let us make this experiment for three or five years By making this experiment the Government will not be running any greater risk than they had run owing to their own mismanagement and various other defects in the railway administration during the economic depression when the railways had to go through a very bad time indeed. . . .

The Honourable Sir Edward Benthall (Member for Railways and War Transport): The Honourable Member is giving the considered view of his party?

Prof. N. G. Ranga: So far as I can understand it, I think that is the view—tripartite management of the railway workers the technical staff, and the management, and the community as a whole. . . .

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Certainly.

Prof. N. G. Ranga: Then I come to the other point. How can you save money on the railways? Several suggestions were made by the Wedgwood Committee I am not in agreement with most of those suggestions, but with some of them I agree, so far as the possibilities for economising expenditure on railways are concerned. For instance, they suggest one thing. This Government had wasted too much money on too lavish a scale on their capital expenditure in the past on railways and in future they would have to be extremely careful about it.

Secondly I suggest what my Honourable friend Mr. Ananthasayanam Ayyangar has already hinted at when he said that there should be Indianisation of the railway machinery. I suggest that in India itself Government should try to manufacture all the tools, wagons and locomotives and all the rest of the machinery that we want, in order to make India independent of the rest of the world in regard to its railway industries and also to economise our total expenditure thereon.

Thirdly, the scales of the higher salaries that have been paid to various officers on railways are too high in this country. For a very long time we have been asking for a reduction in their salaries and in their too sumptuous allowances also This must be looked into. If you examine in this and various other directions it must be possible for the Railways to find lot of funds.

Coming to the other problem of the sinking fund, depreciation fund and amortization and so on, I do admit that the time has come when the whole question should be looked into very carefully by a competent authority aided by non-official public opinion in this country. There was at one time an arbitrary figure fixed upon—one-sixtieth—had to be contributed to the depreciation fund. There were very many experts who would not agree. Yet we had to carry on with that proportion for the time being. I think it is time that it should also be examined. Recently the Government has been spending more and more for certain aspects of capital expenditure also from out of their current revenues. Generally speaking I am not opposed to that procedure but this may militate against the demands of the passengers and the traffic also for better facilities and also the demands of the workers for better dearness allowances and wages and salaries. This also has got to be examined very carefully. Moreover if you go on doing this, adding to your capital-at-charge, the total amount of interest that

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you have got to set apart will be increasing and even your contribution to amortization in future may go on increasing to an enormous degree which may not be quite economical.

There is also the additional point as to how much is to be contributed to general revenues, whether anything is to be contributed or nothing at all. I am not willing, nor is my party, to accept the proposition that these State industries ought not to make any contribution to the general revenues. We are anxious that the social sectors of our industries should go on increasing and in future it will be difficult for the State to find ways and means to finance them. Therefore we are in favour of a certain amount of contribution to be given by these various State industries that have to be established in this country or that are here already and the Railways today are the biggest State industry in this country. The country has already invested in it more than 900 crores. It is but natural for the country as a whole to expect an adequate, reasonable and minimum contribution from the Railways but these contributions ought not to encroach upon the immediate conveniences that have to be provided for the passengers and the users of the railways and more especially the working classes who are employed on the Railways. It is here we reach a point wherein there is scope for difference of opinion—whether this one per cent of the capital at charge that has been decided upon in the past is to be the minimum or the maximum contribution that the Railways ought to make to the general revenues. There are some like me who would like to make it the minimum contribution to be made but there are some others who would like to see it made the maximum contribution to general revenues. This is a very important question and a very general question on which I will not want this Government to come to any decision. I would like them to wait till a National Government comes and takes charge of the whole situation, studies the whole question of the provision of amenities for the users of the Railways on the one side and the workers on the other before it comes to any definite decision in regard to this matter but for the time being we are anxious that this one per cent contribution should be continued and must be continued and no steps should be taken by this Government by way of an inquiry committee, or any other means, to try to reopen this particular question itself. It is open to them to ask any committee to investigate whether it should be increased, but not whether it should be decreased.

I come now to the question of freight rates and fares. I am not at all in favour of increasing them, and why? The Wedgwood Committee also says so. Our people are very poor. My Honourable friend Sardar Sampuran Singh was stating this point in his own way. Our people are too poor, the users of the railways as well as the general public also. Today we are able to provide better amenities and better allowances and better salaries for our railway workers than what is possible for our agricultural masses and even some other classes of industrial workers. We do not grudge this. We do not mind even increasing the facilities for these railway workers but at the same time we do not want them to go on claiming a greater share of our total national wealth than what can possibly be justified by their contribution to the society as a whole. Yes, let them become more and more efficient and let them claim more and more, but today we are not satisfied with the efficiency placed by them at the disposal of the country. At the same time this should not form an isolated group divorced from the general standard of living that obtains in other sectors of our society, in such a manner that there will be too much of a rush for this particular sector and there will be too much of competition between these workers and other workers and that way there will be a terrible lot of trouble hereafter.

By this, I am not going to justify the present attitude of the Railway Administration in their maintaining these absurd new scales of pay. Nor do I want the Government to feel encouraged in their present policy of pitching the railway workers as against other workers and saying that because the railway

workers here are getting a little more than others they are not going to make any more contribution. There is an important consideration in this regard and that is this. If Railway workers got a little more than others that may be, as my friend Mr. Anthony put it, a sort of spearhead for all other workers to try to raise their own standard of life in their own respective industries and this may force various other industries to raise their own level of efficiency in the matter of administration and management and thus make it possible for larger and larger classes of our workers to gain higher levels of wages and greater standards of living. So, my caution is that wages and salaries on the railways ought not to be allowed to encroach upon the contribution that the railways have to make to the general revenues or the amenities that they have to make available to the general public. I ought not to be understood to mean that we are opposed to the present demands of the railwaymen in regard to retrenchment and in regard to the abolition of these different scales of pay that prevail today on the railways and other difficulties also. If there is any doubt on this, then there is the solution offered by my Honourable friend Mr. Gadgil that the whole question in regard to labour be placed before a competent tribunal for adjudication. We are prepared as a party to accept its verdict. The Honourable Member has told us that we are going to constitute a new Government within two months Even then we are prepared to accept the decision of such a tribunal. Let the Government be willing to accept this challenge and place the workers' case before this tribunal With these remarks I move my motion.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. A. C. Turner (Government of India: Nominated Official): Sir, I will endeavour to touch on a few of the fresh points which have been raised by my Honourable friend Professor Ranga The first point I would mention is his anxiety about our capital expenditure. I am very glad, indeed, to see that he realises the importance of this because we on this side of the House fully share that anxiety. This will be evidenced by the action which we have taken to safeguard our capital at charge in regard to the purchases which have had to be made during the war at very high prices We evolved a special procedure which was fully explained to this House last year, and that has safeguarded both our capital at charge and also it has safeguarded our Depreciation Reserve Fund, as, I think, Prof. Ranga would admit. He then touched upon the question of self-sufficiency in India for the railways. Well, Sir, that is Government's policy and it is being implemented as rapidly as circumstances will permit. Another point mentioned was that certain salaries in the railways are too high. Well, that may be, although I am personally very doubtful about it. But I would point out that the total pay bill of those who draw Rs. 1,000 a month and over on the railways works out to, I think, approximately 2 per cent. of the total wage bill, so that if you make all the cuts that you possibly can in these rates, I am afraid you are not going to solve the problem to any great extent.

As regards the contribution to the Depreciation Reserve Fund, it has been fixed at 1/60th. That figure is not quite so arbitrary as Prof. Ranga seems to think. Originally, the amount of depreciation was based on the lives of assets and was calculated separately for the various classes of assets. After that had been going on for some time, it was decided to simplify the procedure and 1/60th was the approximate fraction which the total amount so calculated averaged out to in the previous years came to in regard to the capital at charge. It was, therefore, on this basis that 1/60th was adopted. I may say that this matter is being investigated again and the first step we have taken is to investigate the data which are available on the various railways in order to ascertain whether the lives which we had previously adopted still hold good for the present equipment and present conditions. Some of this data has been received from railways and more data is coming in from other railways. This matter is under examination in the Board's office and will be fully considered during

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the course of the next year. It is hoped that we will be able to give this House a fuller idea as to the conclusions of Government before the time of the presentation of the next Budget.

As regards the question of the 1 per cent. contribution, that is, as the House is aware, a feature of the convention which is at present under suspension. At present each year the amount of the contribution to general revenues is decided *ad hoc*, and for this year the House has seen that the 1 per cent. does figure in the calculations. The question as to whether the figure for the contribution should be 1 per cent. or 2 per cent. and as to whether, if the profits exceed a certain figure, the Central revenues should share in the excess are matters which will, of course, have to be considered by the Committee which will consider the revision of the Convention. In that connection, the Leader of the House, when replying to Mr. Neogy's cut motion last Friday, accepted on behalf of Government the principle that a Committee or Committees would be inevitable. Those Committees will be constituted in due course and the question at issue is really the timing of the setting up of such a Committee or Committees. I may assure the House that the Railway Board are seized of all these matters and have already started on the spade-work which will have to be completed before any Committee can start effective work. In view of this, I trust, the Honourable Mover will not wish to press his cut motion.

Shri D. P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural): Sir, I rise to support this cut motion. My Honourable friend, while presenting the Budget, told us that this will be his last Budget. In view of that fact any detailed discussion of facts and figures might perhaps have very little interest for him personally. It is very likely that though he may cease to be a Member for Railways in this Government, in view of his eminent qualifications the succeeding Government may also like to have him in their service.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Don't quit India!

Shri D. P. Karmarkar: There will be a few men belonging to other nations who may not have to quit India and I am hoping that the Leader of the House may be one of them, because one thing that I have noted about him is that in his nature there is loyalty to Government. Hence, when he serves the Government that is to be, I am sure he will be loyal to that Government also.

Now, Sir, instead of diving into the facts and figures of all such things to which the other speakers have referred and to which they have done full justice, I will broadly review the present budget proposals. The first thing that he has said about the working of the railways last year is that owing to the exigencies of the war, all the available resources were put at the disposal of the army and others responsible for producing war-like equipment. Now, if there has been one factor which has disturbed us and which is absolutely against the popular interest so far as the present railway system and the railway administration is concerned, it is this that the railways have all along been made a handmaid to the military purposes. In fact, that was the original aspect of the railways when they were founded and it was made clear by one of Lord Dalhousie's very pertinent points which he made at that time. He said:

"It cannot be necessary for me to insist upon the importance of a speedy and wide introduction of railway communication throughout the length and breadth of India. A single glance cast upon the map recalling to mind the vast extent of the Empire we hold; the various classes and interests it includes, the wide distances which separate the several points at which hostile attacks may at any time be expected: the perpetual risk of such hostility appearing in quarters where it is least expected; the expenditure of time, of money and of life that are involved in even the ordinary routine of military movements, would convince the urgency of speedy communications."

Even now, up to the present time, the relevancy of the railways so far as the present Government is concerned, lies more in its speed to take troops to other places where they want to quell popular movements rather than in catering to the popular needs in the shape of bringing more food stuffs and so on.

In view of that fact, the whole system of railway finance has been vitiated by this predominant consideration which goes against the root of the popular weal. In view of that fact, we are not surprised to find him yet lingering and halting so far as the comforts of third class passengers are concerned. It is just like promising to a man who is dying of hunger now that he will be given a hearty meal tomorrow, so that he may linger on for another day simply with a hope to taste the food that is promised. Similar is his promise for the third class passengers. He has promised that next year or the year thereafter—exact time not specified—third class passengers will have some room to sleep and this vague promise might be a sufficient compensation in his view for those of us who have been spending sleepless nights for days and days on the railways. But that is a very poor consolation indeed. What I am complaining about is not the problem of convenience or inconvenience, but the whole perspective, I am charging that the whole perspective is wrong. The point of fact is this, that railway services ought primarily and properly be social service. The first question that any railway administration should ask itself if it is going to be adjudged a financial success is this, how much satisfaction have I given to my customer? Even now, the Railway Member says that the higher classes of travellers have given more than they gave last year. We do often speak of third class passengers as lower class passengers, or as the masses. The railway administration thinks that third class passengers and the masses are equivalent terms. It is thought that higher class passengers alone count for the railway administration. May I ask for whom are these railways primarily meant? Are they meant only for people who travel in higher classes? These gentlemen who draw fat salaries talk of higher classes. The big merchants who travel in higher classes are making money at the expense of the poorer classes. Is it for these classes of people that the railways are primarily meant or are they meant for the so called lower classes of people, the masses of people. I submit the interest of the masses must be the predominant claim on the railways. If there is any meaning in classifying railways as State railways, they must be primarily meant for the large majority of people in the State. When speaking of third class passengers, let us not forget one who has most identified himself with third class passengers, namely, the eminent Mahatma Gandhi. Whenever we talk of third class passengers, let us not simply talk in a patronising way about people who cannot afford to pay more, but let us talk about the third class passengers in the same spirit as we talk of the nation. What is the comfort, what is the convenience and what is the happiness that our Honourable friend's railway system confers on the poor third class passengers? Nothing. People standing on footboards of compartments, people, as many as 30, 40 or even 80 finding accommodation in a compartment meant for 20. People crowding together. All the existing woes of third class passengers were there before a Committee which sat on the question of railways more than 25 years ago. The grievances which we find today were all there in those days also. Overcrowding to the extent of double, and sometimes treble the number of carrying capacity, inaccessability, insanitary, dirty condition of third class carriages, inadequate waiting halls for third class passengers, inadequate food arrangements on the platform, inconvenient booking facilities—all these grievances have been existing from a long time past, and today there is an additional discomfort, namely that latrines are too small on some railways. An Honourable Member has observed that some of the Honourable Members of this House will find it a great job to get into any one of these latrines and come back without getting suffocated. This is an additional grievance which has come recently into existence, after this committee was appointed. The question of financial solvency or otherwise of any commercial concern can only be judged by the satisfaction it gives to its customers who are paying for it.

The next point I wish to touch upon is this. We dabble in these huge figures, we say railway reserves have doubled during the year, that we have paid our debts, that we have paid more to the general revenues, that the financial condition of railways generally is much better than it was before the

[Shri D. P. Karmarkar]

war commenced and so on. I submit a statement like that is a bit fallacious. When we consider this financial question we seem to fail to take notice of one thing, namely the value of human capital. That is much more important than all the financial resources of any country. If we could only invent a mathematical machine which could calculate in terms of rupees, annas and pies the loss involved for a nation in its discomfort and inconvenience, in the positive nuisance suffered by the nation during the last five years, I am sure this mathematical equivalent result would far outweigh the so called advantages we have got in the railway budget. In our present railway administration, there is a complete absence of this human point of view, and now that it is said that this railway administration with its assets is to be handed over to the future Government to come, what are we really in for? We are going to get some rotten engines, old wagons, worn out lines and so on. According to their own admission, we are going to bequeath a good will which is not worth anything at all in positive terms, if at all it is equivalent to a minus wealth. It is minus, 100 per cent. or even 200 per cent. or something like that. This sort of good will is absolutely not good.

Another pattern of good will which the railway administration is bequeathing to the future government may be seen in the proposals of road-rail co-ordination and the scant courtesy which the Honourable Member for Railways has shown to the interest of the people. It would be interesting to trace the origin of this road-rail co-ordination proposal. This was brought before us as a question necessary for carrying on various services, that is from the point of view of the nation. That is a point of view which certainly appeals to us. But how did it originate? The whole proposal originated at a time when railways were running in competition with buses, when railways were making a loss of two crores a year and later on the loss increased to 4½ crores a year. Then the railways came in and wanted to have a commanding interest first, then a dominating interest afterwards, which my Honourable friend defined as something between 5 to 40 per cent. With regard to the proposal itself, many of us were diffident to work it out in view of the fact that the Government at the Centre as well as in the Provinces were governments which were not responsible to the people. That speaks very little of the credit of good will which the railways possess in the eyes of the nation or the country at large. If under the circumstances, owing to jugglery of figures a few figures are piled up, or there is a bit increase in reserves it is because the railway administration has starved the people of their comforts and conveniences which it was their legitimate duty to attend to. Under the circumstances, I cannot congratulate the Railway Member for his achievement during the war period. I am just now forgetting for the moment what huge sums have been spent on utilising the railway resources for a war which was not ours. Apart from that fact, the point I was labouring was this that the railways have to work primarily in the interest of the people and the State as a whole. Wherever we have that point of view clearly in our mind, all other things follow as a logical corollary. There would be no workers strikes, the workers of railways being part of the nation will be looked after well and if in the interest of the State the railway workers are required to make a sacrifice in their wages by wage cut and so on, they will readily agree to it, in common with other servants of the State. In an emergency, the workers in England agreed to a proposal for reduction in their salaries. Similarly, in India also I am sure that the railway workers would willingly share the sufferings if such a sacrifice is in the interest of the nation, if such proposals emanate from people who are responsible to the people having at heart the good of the people at large. From that point of view the present railway budget like many of its predecessors presents to us a spectacle of a financial condition which though ostensibly very well looking, is at its bottom a very cankerous one which is not suitable to be handed over to any future national government that is going to come. In fact, Sir, many of us on this side of the House are diffident about the future national government. Whenever we on this side ventilate the grievances of third class

passengers, when we refer to the suffocation experienced by people in railway carriages, or whenever we draw attention of the Government to the shooting of innocent people in Bombay, the Honourable Members on the Treasury Benches always come out with their pet slogan, 'national government is coming at an early date'. In any case, come it must. Though not this year then the year after, or in the immediate future, quit also they must. But, Sir, when they quit, I would appeal to them, though it is not this year, they should try to reform themselves in a manner which has not been there during the last six years and they should present to us a cleaner slate than they are presenting to us now, and give us not a railway surplus, but happiness and contentment among the people and let it for once be told by the people in India that for once during the years of their administration, the railways have given us a service which is satisfactory to the people on the whole. That is all I have to submit.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I would not have intervened in this debate but for the fact that I have been a member of the Standing Finance Committee for some time, and I feel that I should say a few words with regard to the financial aspect. The Honourable Member for Transport asked my Honourable friend Prof. Ranga, as regard the management of this asset, whether it is the considered opinion of the party that it must be managed by the workers, by the people at large and the Government, all together. That issue does not arise at all under this cut. As regards management so as to contribute to the efficiency of the administration, my Honourable friend suggested that the workers should not be taken as ordinary chattel not having any interest in the administration nor even the people who travel as passengers; but surely all these interests must be considered. In the future administration, if it is handed over to the people of this country there will be councils and the Government will be there to safeguard the interests of all the people concerned. I therefore proceed to the financial aspect of this.

Again and again we have been hearing that the sole intent of this Government is to run it as a commercial concern. But they have not been doing it; they have only been showing lip sympathy to the commercial aspect of it. If really it had been run as a commercial concern, would they try to have a monopoly even with respect to rates and stifle the buses that ply on the roads, instead of running the trains remuneratively, making the service more profitable for passengers and more attractive for them by reducing rates and fares and not compete with the buses that ply on the roads? They are trying to have a monopoly in that branch also. That is damaging to the administration. No other index is necessary to show that the administration is not running properly or on a commercial basis at all.

Now let us see the earnings. There is still a debt of 800 crores. Has any attempt been made to discharge this debt at the rate of at least 5 crores a year? Where is the amortisation fund? If it is a commercial concern should we not reduce the working expenses? The working expenses take away the entire money; and then the third-class passenger comes as a mendicant. Is he not the man who keeps the administration going? Is he not entitled to say, "I am not going to enter your coach unless you provide all the conveniences for me"? Is it a commercial concern? Is it open to a bus-owner to say, "Well, I have a monopoly; you come and beg of me for a seat, but you must pay the rates and fares that I demand"? No concern would work like that. Is it open to a trader to say, "I will sell you a cap for which you must give me four rupees, but it will be a very dirty cap"? Is it a commercial concern? It is not a question of amenities. You are unnecessarily charging high fares and rates in order to feed a top-heavy administration and you are starving the poor classes, the hands and feet that are actually running the administration.

The Honourable Sir Edward Benthall: Sir, may I put the Honourable Member a question? If he thinks 2 per cent. is top-heavy for the administration, what figure does he think is fair?

Prof. N. G. Ranga: There are industries whose percentage is much lower.

Sri M. Ananthasayanam Ayyangar: One-fourth is the higher administration, and if one-fourth gets 2 per cent., to the exclusion of 99¾, my Honourable friend can work out the percentage himself. But then it sets a very bad example. If the top man gets Rs. 5,000 will it be converted into wheat or rice or whatever he may eat and all the rest that he is able to purchase? When it comes to the salary of underdogs, you calculate it and it comes to 58 crores and you say it is an appalling figure and the administration cannot be run. I would say that this ought not to be the case. There should not be a difference of more than ten times between the lowest and highest salaries. It is not a good financial proposition. I do not say of course that I am going to be poor or the railway administration is going to be poor merely because the men at the top are getting five or six thousand rupees. But it is wrong in principle. They do not work more than 5, 6 or 10 hours a day just like the others. Why should he set a higher value on his work than is put upon the work of the other people there, who are toiling night and day, who have a larger family to maintain? Therefore even from the commercial point of view the administration is not being run properly. The debt is there, there is no amortisation fund, the working expenses have not been reduced

Then let me come to the interest charges. In the Imperial Bank of India there are crores and crores of demand liabilities on which there is not a pie paid by way of interest. Money is cheap in the market on account of inflation and people are prepared to surrender even one-thousand and ten-thousand rupee notes, lest they should be caught when giving their names. What steps have been taken to reduce the interest charges? My Honourable friend will at once say that it is the business of the Government of India as a whole. But you must reduce the interest charges, so far as it is a commercial concern, and try to raise other loans at favourable rates of interest.

Then let me come to depreciation. My Honourable friend has got a rough and ready method,—one-sixtieth But may I know what the present value of the assets is? Are they old? Are they new? How long will they serve in a commercial concern? Should not a man know what the present worth of his property is. They have not got any idea. They say that a committee is going to be appointed; but if it is a commercial concern they have done nothing about it.

Lastly, my Honourable friend when desired to increase the salaries of the lower-paid staff, said that for that purpose he must increase the rates, and even by increasing the rates he cannot pay them well. But I submit that unless they are paid properly the administration cannot work. I proceed on this principle. I am not anxious that this asset should contribute to the general revenues at the cost of the underdog who works. If he is starved and the general revenues are going to take money, I say we will get it out of the sweat of the poor man who works there. In the first place, if it is a commercial concern, do not draw upon the general revenues for maintaining it. Then, if this concern is self-sufficient I will be more than satisfied. Self-sufficiency depends on a good asset, *i.e.*, a proportionate or recurring decrease of the debt upon it, reduction of the working charges, proper payment to the lower grades of workmen, a contented labour force, and good amenities for the travelling public. If after satisfying all this there is not a pie left to the central or general revenues I would not shed a single tear. I say that even a commercial concern ought to be self-supporting in the first instance and it ought not to be at the cost of other amenities and should not detract from the efficacy or the value of it as an asset. I would say that I believe there is an agreement in this side of the House and the general public. The Honourable member need not stretch his hands; I am prepared to take charge of this administration because I am sure I will work it properly. Therefore he need not feel helpless that we cannot manage properly; it will go on even if he quits. What I submit is that these other people have to be paid properly, and let there be not a pie left so far as the general revenues are concerned.

is this not a public utility concern. What is the object of taking over the management of this asset from the companies to the State. The companies certainly managed them as commercial concerns; their one single purpose was to earn revenue and large profits. We have taken them over. If after nationalising this asset we still pursue the methods of those directors of companies in England, we only substitute ourselves as other directors. If this is all our nationalisation I would not be sorry if these are once again handed over to some other companies like Birla's or Tata's, and instead of a white company have a dark one. If our object is to get money for the general revenues let us hand it over to a private concern and get money. But the very object of nationalising this asset and taking the management over from the companies to the State is to run it as a utility service. This is one of the most important public utility services in this country, and the utility aspect must be emphasised in preference to the profit aspect. In the hands of my Honourable friend and his Board it is neither a commercial concern nor a utility concern; it serves neither God nor the devil. Therefore I ask him to quit as soon as possible. I am not talking politics, but I have tried to address myself purely to the financial aspect. It is neither a commercial concern nor a public utility concern.

So far as rates and fares are concerned, I am not in favour of increasing them at all. The rates are too prohibitive.

Finally, Sir, I have to say a word about coal. My point is that the collieries have not been managed properly. There is a lot of corruption there. Every colliery subordinate has made tons of money; for each ton of coal there is a ton of gold going into his pocket. There is corruption there from the top-most man to the lowest man. As my time is up, I will take another opportunity to stress this point more vehemently and in greater detail

That is all, Sir, so far as I have to make my submissions on this cut motion.

Lt.-Col. Dr. J. C. Chatterjee (Nominated Non-Official): Sir, I did not get an opportunity of saying a few words when the general discussion was going on on the Railway Budget, and since you have kindly given me an opportunity of speaking on this motion of Prof. Ranga I will make a few submissions now.

As regards the financial policy of Railways is concerned, I feel that so far as this Government is concerned, and so far as the Railway Department is concerned, they all suffer from one great fallacy and that is, Sir, the fallacy of over-administration. They have built up luxurious offices—whether it is the Imperial Secretariat or a district headquarters—and officers are paid on such high rates and they travel in such large saloons, that they are entirely divorced from those who do the actual work, in their departments. To my mind the worst condemnation of the present Government is that they are in that sense an entirely capitalist Government; that their interests are identical with those of capitalists and aristocrats, but not with those of workers who do the real work. Sir, there has been a great deal of unrest in the Railways and there have been talks of strikes and so on. What is at the bottom of all this? I feel it is this financial policy or rather the administrative policy which the Railways and the Railway Board in this country have adopted.

I want to draw your attention to the vast difference between the living conditions—the wages, environments, and everything else—between railway officials and workers. I will not particularly confine myself to the Railway Board—they sit in the olympic heights of Simla or among the flesh pots of Delhi—but I will speak also of the officer class on the Railways. In the first place, I am convinced that nobody can say that I speak without moderation or that I am in any way an extremist, but, Sir, as a frequent traveller over the Railways and as one who has had something to do with the Railways, I feel that the difference between the conditions of life between officers and subordinates is very great and in fact appalling an unjustifiable.

In the first place the railways are over-staffed with officers. I would like the Honourable Member to examine that position. It is not a new thing that I am

[Lt.-Col. Dr. J. C. Chatterjee]

saying, but it has been urged again and again on the Railway Member that there is a surplus of officers both at headquarters among the Directors, Joint Directors and Deputy Directors, and among district officers on the Railways. I think anybody who knows anything about the Railways will agree with me, and that is the general impression among the officers themselves that they are far too many of the officer class. Then, Sir, take the salaries these people get and the amenities they are provided. They get salaries which are several times the salaries of those who work under them, of subordinates, upper-subordinates, and people in more humble occupations. Then think of the difference in housing. A district railway officer's bungalow in an even small and out of the way place is more a semi palace than anything else. In addition to his large salary, he has now become the new poor—whether his salary is one thousand or fifteen hundred, he has to be given a dearness allowance. In addition to his fine bungalow, he has a whole gang of workmen who are made to work it for nothing. I do not know where they are drawn from—I don't know whether they are porters or linemen, or who they are—but whenever you go to any of these railway officer's bungalow, you will find that he will have about ten men weeding his lawn, and other people doing various other jobs—taking out his children for airings, and so on. I do not envy them; let them have these amenities, and enjoy their life, but there should be some limit to all this.

Take the question of the way they travel about. I am fully sensible of the need that these railway officers should be given some facilities during their tours—they should be afforded protection against heat and cold, and they may travel even in saloons when they are doing long journeys,—but I will ask my Honourable friend if he has seen white saloons in America and England. I have travelled a lot; I have not seen a white saloon put on to the Railway train for the use of a railway officer. He will probably say that the distances in England are short, but are distances in America or on the Continent also short? No. Sir, I have seen on more than one occasion the Honourable Sir Edward Benthall himself discarding the use of a saloon and going in a small coupe—I compliment him on that, but I hope that his good example will be followed by much lesser fry in his own department. The other day when I was coming from Indore to Delhi, we found that one first-class and second-class carriage had been removed and there was no ladies compartment because some petty official insisted on having a white saloon attached to it while he was only doing a day's journey, and probably his journey was not going to extend for more than a few hours. That is the kind of thing which makes the public very critical of the superior and privileged manner in which the railway officers are allowed to go about. And I think, Sir, that such things are at the root of all the trouble between people who are dissatisfied—the upper subordinates, lower subordinates and the people who even clean the platforms and so forth. The difference between their salaries and those of the officers are several-fold, and that, Sir, is never right and that cannot be right today, in the present world, when even Capitalist England is going ultra-socialist.

The one thing that I ask my Honourable friend in the first place is to stop the use of these white saloons for all officers on his railways. Why is it that these saloons should be necessary. If it is necessary, do give him a whole compartment; but why should it be necessary to take off a whole bogey so that a petty officer should travel in a large saloon. There is no justification.

Secondly, I say that the salaries of officers should be levelled down and the salaries of staff should be scaled up, so that the enormous difference in living conditions should disappear, and so that the officer class may be able to realize and sympathise with the way in which these poor workers live. If you make them a privileged class if you give them high salaries, if you give them palatial houses, if you give them other amenities, which place them above all want, they cannot sympathize with people like railwaymen, who live in miserable

quarters, who generally raise very large families, and who have none of these amenities, and therefore feel extremely bitter.

I would also have to say something to my Honourable friend, Mr. Ayyangar, though he is not here. Today it is Benthall's railway, tomorrow it will be Ayyangar's railway and he will have to face the same problems I do not quite agree with him that the Railway should become a concern in which there should be no profit whatsoever, and that it should be a sort of charitable organisation. I am one of those people who always believe that whatever railway has been taken over by the state, it has deteriorated. It has deteriorated in comfort to the passengers, and it has deteriorated in every other sense. However it is no use championing a lost cause, this certainly is completely a lost cause. Railways have been nationalized and they will continue to be so. All the same cannot understand the theory that since the railways have been nationalised the taxpayer should get no return on his capital! A very large amount of our capital and our money is sunk in these railways. Far be it from me to say that the railways, because they are monopoly railways—since I have to go from one place to another I must travel by any one line—that they should take advantage of that monopoly and charge very high fares or that they should continue to refuse amenities to their lower paid staff. But I do feel that it would be wrong if we make the railways in India a charitable organisation. It will mean that when Mr. Ayyangar takes over the railways he will find that he is placing himself and his department and also the national finances near ruination.

12 Noon.

A great deal has been said about the comfort of passengers in the lower classes. My friend, Sri Prakasa, drew my attention to it and I am more than sensible of what happens every day. The state of third class travel is disgraceful. It is no use reiterating the story. The very fact that people are allowed to get into the third class compartments or forced to get into them up to the double or treble of their seating capacity is something which is disgraceful. That has to be remedied. Think of third class travel in England, no one but Lords travel first class and even they now cannot afford it in most cases. No one else thinks of travelling first class. Everybody travels third class and there third class travel is paradise compared to third class travel here. But the fact is that the person who travels third class in England pays very nearly the same fair as the person who travels first class in this country I am all for improvement of third class travel. I feel that there should be only two classes and not so many distinctions. There should be an upper class and a lower class but the lower class should be really comfortable. But I cannot agree with my friend, Mr. Ayyangar, that we should keep to the same rates and fares and then go on adding amenities. By all means give fans, by all means give them even sleeping accommodation at night which they ought to have and other amenities, but to say that they should never pay a penny more is indefensible. It would mean ruin to the finances of this country if we press that there should be no increase in the fares of third class travel but that amenities should be added.

I should like you to think of another point. You, Sir, have travelled a great deal and so have other Honourable Members. You must have seen that in spite of this war having stopped and military traffic having fallen, still every train is overcrowed. This shows that there must be money in the country making it possible for people today to travel.

The Honourable Sir Edward Benthall: On a point of order. Is not my honourable friend speaking on the next cut motion but one?

Lt.-Col. Dr. J. G. Chatterjee: I am speaking on the financial policy of the railways I am trying to show that railway finances ought to be so managed as to leave a certain amount of return to the taxpayer.

Shri Sri Prakasa: You are talking of the finances of the traveller!

Mr. President: Order, order.

Lt.-Col. Dr. J. C. Chatterjee: It is one and the same thing. My point is that since there is such heavy traffic and particularly in India where people will not just only travel for their health, for picnics or excursions but mainly for weddings, business or fares, there is room for some increase in rates and fares if we are prepared to give the passengers more amenities.

To wind up, I would plead for two things. Firstly there should be a levelling down the amenities, salaries and perquisites of officers on the railways. They are a class privileged beyond all other classes in this country. In fact, Sir, I think they are the most privileged in this country so far as Government officials are concerned because in addition to all this, not only do they travel themselves in great luxury but they are given endless passes for their families and when they do not get passes who can prevent them and their friends from travelling without tickets. Every one who travels knows very well that a railway official can turn a first class into a second or a second into a first or even let his friends go without payment. Then there must be a scaling up of the amenities and the payment of children's allowances or whatever else is necessary for the welfare of the lower and the subordinate staff so that the difference between the two classes should not be so marked. While railways ought not to make an abnormal profit on the running of our railways and on the capital that is sunk in our national railways, there ought to be a certain return possible at this time and when the . . . . .

Mr. President: The Honourable Member's time limit is over.

Lt.-Col. Dr. J. C. Chatterjee: I am also getting over.

Mr. President: He must get it over.

Lt.-Col. Dr. J. C. Chatterjee: There should be an equitable return of two, three or even four per cent from our national railways so that the finances of this country may not become hopeless.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): I find it difficult to discuss the entire financial position and policy of the railways in the short time that I have at my disposal and probably nobody could do justice to a subject so vast in fifteen minutes that is allotted to each member. I will only confine myself to such matters which are of vital interest to the Muslim nation whom I have the honour to represent in this House. A lot has been said of the nationalization of these railways. In practice all what nationalization means is that the Europeans in the higher superior posts are being replaced by Anglo-Indians and Hindus, and as such nationalization so far has been made to means either Anglo-Indialization or Hindulization. I would refer you to the report of the Railway Board as published in 1944-45, Vol. I, which says that in 1934 the total number of the European officers was 1,074 which in 1945 has been shown as 586, an appreciable reduction. Again the number of the Anglo-Indians which in 1934 was only 114 has gone up to 191 and the number of the Hindus which in 1934 was only shown to be 415 has gone up to 692. The Muslims who in 1934 numbered 82 have gone up only to 178. You will notice, Sir, that in the same page showing the statement of percentages, the Muslim percentage which in 1934 was 4·67 and in 1944 it was 10·5 has gone down to 9·98 in 1945. Muslims have gained about 5 per cent between 1934 to 1944—an interval of ten years. This is a point which has to be very carefully considered. The Anglo-Indians whose population in this country would not be even one per cent have been able to hold in the railways a position which according to the report is nearly about ten per cent of the superior services. So what I want to impress is that this is the process of nationalization, which is revealed in their reports.

On the financial side the report does not show figures of wages payment community-wise and so I am not in a position to say what exact amount of money goes to the share of the Muslim employees, of the Hindu employees,

Anglo-Indian and other employees. Our own organisation, the All-India Muslim Employees League Calcutta, have been able to give me some idea, though I must say I am unable to vouchsafe or guarantee its correctness. The Secretary of that organisation has shown that out of the total of 56 crores that is spent on the establishment, the Muslim share is not more than 5 crores. I am not going to discuss here the method which Railway Muslim Employees League has employed to arrive at this figure, which may be right or may not be correct because we have not been given any separate statistics to prepare same and I would ask the Honourable Member to look into this matter and see what amount of money is paid to the Muslim employees out of the total of 56 crores This is a very pertinent issue. By nationalisation we mean equal partnership of all the nationals living in this land and unless this is done nationalisation is a misnomer.

I now come to the points raised by Mr. Ayyangar regarding interest charges, depreciation and other things. I do not suppose that it is very correct for me to find out whether 1/60 part of the depreciation as charged today is correct or not, because under the conditions in which the railway rolling stock has been for the last six years, probably depreciation should have been far more and probably the condition in which they have been left would deserve higher depreciation to be drawn than the scheduled depreciation of 1/60th which has been provided in the Railway Budget. That again is a question on which expert opinion would be necessary and I would ask the Honourable Member in charge to get expert opinion on the subject, whether the rate of depreciation allowed under present conditions is correct or not.

Dr. Ziauddin has raised a good many issues regarding the aristocratic ways in which the administration is carried on in the railways. One thing I must say that the menials, the labour and the subordinate staff, are certainly getting far lower pay than they should get according to the present conditions. There is no doubt that relief has been given to them in the form of grainshop arrangements and dearness allowance but I do not think that they compare very well with the conditions that prevail in the matter of prices of all commodities at present. I need not stress on the topheavy administration, a subject which my friends of the Congress Party have dealt with. I would only confine myself to the remark that labour, the menial and the subordinate staff do deserve a little more consideration than what has been shown to them so far. We are giving them relief to the extent of nearly 12 crores per year which is a loss to the railway exchequer by supply of cheaper grain and other commodities to their employees. This relief is in the form of cheap grain shops and other amenities. In this connection I would submit that the quality of the grain, which is supplied mostly and procured through contractors, is most unsatisfactory and at some times dangerous to human consumption. I referred the other day during question hour to the supply of mustard oil which was made in Dinapore poisonous which resulted in the death, according to the Honourable Member of 11 employees and according to me of over 60 persons. What is necessary is this that this relief, although it may be a burden on the exchequer is not going to give the employees that kind of satisfaction and relief that it was aimed for. This is a serious matter which Government should take into consideration when they are framing their financial policy.

Then, again, I deplore the attitude of the railways of giving contracts so to say to the highest bidder, which is something rather mischievous. I do not think that contracts for vending or selling certain articles on the railway stations should be made a subject of gambling, that is that it should necessarily go to the highest bidder, because naturally the prices on sale of those commodities will reflect the charge that the contractors have paid. What I mean is that all facilities should be given to good class of professional men who have rendered good service and the object should be to see that they give better service in the supply of every class of commodity on the platforms and at railway stations. It should not matter to the railways whether the railways earn a few lakhs more

[Mr. Muhammad Nauman]

or not on such licensing. They should realise that although railways recei only a few lakhs more, they allow the contractors to squeeze the railw passengers by double or treble of that amount. It was in this connection th the Standing Finance Committee has suggested that we should try to see th every thing is done departmentally, particularly the catering side, which h been in the most deplorable condition for a long time. I would suggest to tl Honourable Member to make a special enquiry on these lines and see wh arrangements can be made to run these catering establishments on department lines. Another thing I would suggest for the convenience of the passenge is this. It may be rather difficult at the moment to start departmental arrang ments at every division for catering. Therefore we should allow only such fe contractors to exist who would guarantee good service and who should l prosecuted for bad supply. There was a lot said about certain contractors aerated water on N. W. Ry. in this House and it was mentioned that th water used in aerated waters in many cases was found to contain cholera ar other bacterial germs on N. W. Railway. If that is the position why cann the railways terminate their arrangements and why cannot they have ever thing done departmentally, so that the passengers may not have to complai every now and then in this House. This is a very important issue A speci enquiry committee should be set up consisting of experts with which thre representatives of this House, I mean of the Standing Finance Committee mig also be associated to look into the whole question. It will then be possib for Government to say that they have done every thing possible in the inter of the country and also for safeguarding their own financial interests as I believ their departmental arrangements will be paying concerns.

With these few words I resume may seat.

The Honourable Sir Edward Benthall: Sir, I am very glad indeed that m Honourable friend Prof. Ranga arrived in the nick of time to deal with his c motion, because, if I may say so respectfully, he made a very thoughtful contr tion to what is a difficult problem. But, Sir, as the debate went on, I seeme to notice a certain discrepancy of view between the Honourable the Mover an another member of his party and I am not quite clear what the view of th party is. But my honourable friend Mr. Nauman, I think, really hit the na on the head when he said that it would not be possible to deal with these problem in so short a time, and that was really one of the points in my budget speech that all these matters are linked—matters of the convention, of wages, of co the depreciation fund and all the rest of them—they are all matters whic do need the most careful consideration, by committees of this House. M honourable friend in moving the motion made it very clear that he has fu appreciation of the link between these various problems; he made it clear tha he desired more amenities for the public and more amenities and pay for th staff; he made it clear that the amenities should not come out of capital bu should be a charge on revenue; and my honourable friend behind him, Mr Karmarkar, stressed the importance of service to the public in India, a poin with which I entirely agree, and which was in fact the main theme of the firs budget speech I made on this floor. I entirely agree with him also that th human element is a vital factor in any big undertaking and particularly so i the case of the vast undertaking of the railways. It is of importance not onl in dealing with the staff, but in dealing with the public; and I can assure hi that it gives me no pleasure whatsoever either to have to refuse to give th staff all the pay asked for or on the other hand to see the sort of traffic condi tions which we have before us, thrust upon us by the circumstances of the war One must have sympathy in dealing with these problems; but at the same tim one is up against hard facts, hard financial facts and, during war time, th difficulties of getting materials and labour and construction capacity for effectin the improvements that we would like to see. To refer to my honourable friend

the Mover, he said that in addition to amenities he would like to see also a contribution made by the railways to the general finances. In that he differed apparently in certain circumstances from my Honourable friend, Mr. Ayyangar . . . . . .

Sri M. Ananthasayanam Ayyangar: No, no. On a point of explanation Sir; there is no difference; only I have said after satisfying all these, pay to the general revenues.

The Honourable Sir Edward Benthall: That is just one of the questions which we have to consider on the convention committee, which I indicated at length should be set up. Under the old convention the railways were bound to make a contribution of 1 per cent to general revenues, whether they earned it or not; and it is because they did not earn it for a number of years and then earned a great deal more that in 1943 on the advice of the Convention Committee we upset that arrangement; and I suggest that for the future the contribution should be made, not as it were as a debenture charge, a prior charge before a surplus is earned, but that the 1 per cent should come out of the surplus when it is earned. These questions are matters of great importance, which as my friend Mr. Nauman said cannot be settled on the floor of the House: they must be the subjects for committees in the future.

Then my honourable friend the Mover stressed the desirability of increasing the wages of the staff and their amenities. In principle, in human sympathy, I entirely agree with him; but you cannot consider that question apart from all the other questions, including the contribution. Another point which my honourable friend Mr. Ayyangar made was that there should be in addition 5 crores set aside for amortisation of capital. I do not want to go into that in detail, because again that is a matter for further consideration. Amortisation has been recommended in the past, but on the other hand you must remember the fact that our capital assets have in fact very greatly appreciated with the general rise of prices. So that they probably represent more than they stand in the books at the present day . . . . . .

Sri M. Ananthasayanam Ayyangar: When they go down, what will happen?

The Honourable Sir Edward Benthall: So you have got to find a time when you think the level of prices is fairly stable before you really consider whether amortisation is necessary or not. But that again is a matter for deep consideration and not for settlement here and now. But all my honourable friends were unanimous that in these circumstances, there must not be an increase of rates and fares, all these other things must be done and all this other expenditure must be incurred but there must be no increase in rates and fares.

Mr. Muhammad Nauman: That is the economy.

The Honourable Sir Edward Benthall: I expected therefore to hear them put forward suggestions as to how they should find this extra money without increased resources of revenue . . . .

Prof. N. G. Ranga: Greater economy, I have told you.

The Honourable Sir Edward Benthall: My honourable friend the Mover referred to what Mr. Guruswami had said by way of answer. The answer was "Enter into a tripartite agreement between the management and the workers, the technical experts, and the community". That was his view, but I understood my honourable friend Mr. Ayyangar to dispute that . . .

Sri M. Ananthasayanam Ayyangar: No, no; all of us are agreed.

The Honourable Sir Edward Benthall: That is correct? Well, then, my honourable friends will have an opportunity of bringing in this arrangement when they consider what form of management the railways should have as a result of the constituent assembly . . . . .

Prof. N. G. Ranga: Why do you not begin to make the experiment now?

The Honourable Sir Edward Benthall: I suggest that that is not a solution for me to make in the short time left to me to speak; and in fact I do not believe it to be a solution at all. Mr. Guruswami would agree with me on that, because when I asked him how he was going to find the 78 crores which was asked for at the Moghal Serai Meeting, he said "I cannot find 78 crores in 15 minutes." Neither can I or anybody else. These problems do need time.

The second, and if I may say so, the better suggestion for improving the finances was the local manufacture of wagons and other railway requirements. This will result in economy, although in the initial stages when you are setting up the industries it is possible that some measure of protection and therefore some extra cost may be necessary; but in principle as a long term policy it is sound. Mr. Ayyangar went on to say that our road-rail policy was wrong and that what we must do is to compete with the roads, compete with the buses, and force down the rates and fares on the railways and therefore presumably on the road, in fact that we should go back to the old cut-throat days which we used to see before the war. Good for the public, except that from the point of view of moneys-worth they will not get the service. They will not get those cheap fares for very long, because the buses or the railways will be forced out of business or forced to reduce their standard of service; and further than that, if you force down fares you are going to make less money on the railways and therefore you will be forcing down wages, which is quite contrary to the rest of the argument put forward.

Sri M. Ananthasayanam Ayyangar: It may force you to economise.

The Honourable Sir Edward Benthall: All these things require, as I say, more consideration. My friend, Dr. Chatterjee, said that there was a surplus of officers, that they were paid too much and lived too luxuriously. As regards the first of those points I gave a considered opinion in a speech at the Railway Conference Association, this year it was, that in fact the railways were under-officered. That is my considered opinion after examining the position on the railways. We have only got one officer to 450 men. In the army you have got one to 50. Moreover officers on the Railways as elsewhere are paper logged flooded with returns. That is particularly so under State management where the staff rules and so on are so complicated that a very great deal of their time which ought to be spent perhaps on seeing that the engines and the wagons move, is in fact spent in the office looking into staff cases. We are looking into the question of relieving them of that paper work but my considered opinion is that so far from being over-officered the railways are under-officered.

The question of whether they are overpaid or not is another matter and doubtless when the new regime comes in they will consider the whole question of railway rates of pay, but that of course would not apply to the officers who are under contract. I may say too that the revised rates of pay are not attractive to European officers and that is why even if we had wanted to recruit them, we should not have got any European officers. We have not of course recruited them during the war or for some years before. But the rates of pay are not attractive to the Indian staff either. Many of them on the revised rates of pay find it extremely difficult to live as an officer should live.

I will not deal here with Mr. Nauman's point about catering. He paid a high compliment to the Railways because he obviously was under the impression that if the catering was done by the Railways it will be done better than by expert caterers. I dare say that that is true. I hope so but it will very probably add to the cost. I do not wish to pursue this point now but I will only repeat what I have already said before that we will discuss these matters in the Central Advisory Council.

As regards the figures of the emoluments received by the Muslim element on the Railways I have not got the figures. We shall be having a debate on that subject tomorrow.

Mr. Muhammad Nauman: Will the Honourable Member try to have the figure given then?

The Honourable Sir Edward Benthall: I do not think we have got it.

My friend the Mover made some extremely interesting remarks about the emoluments of the staff. He said, and I think rightly, that the workers should be properly paid but that they should not claim more than their share of what was going, that, in other words, they should not live above the general standard of the country. He said also that they should endeavour to be more efficient and get the results in that way. If they are more efficient, naturally one would expect that you would be able to do with less staff and that is quite properly one of the economic problems we are up against at this moment. We could probably do with considerably less staff but we are keeping on men in order not to create unemployment at the present time.

Prof. N. G. Ranga: We are getting railway expansion. Some staff can be kept on and you can get more work from them. That is what Mr. Gadgil suggested, also.

The Honourable Sir Edward Benthall: What we are trying to do is to create more work for the railways and therefore to create the maximum employment but I think he is perfectly right about efficiency and as I said in my Budget speech, a great deal of the success of this policy of creating work depends on the willingness of the workers, not only the railway workers but all workers to work, but at the present time if there are strikes and disturbances there will be less money earned by the railways and therefore less for the railwaymen; and if the railwaymen themselves go on strike the same thing applies.

Now, Sir, my honourable friend said that on this matter of workers' wages, he and party would accept the finding of a tribunal but previous to that, we ought to set up a committee to go into the convention. I entirely agree. Mr. Ayyangar said that we should have a committee also to go into the depreciation fund and the basis of it. I entirely agree. It is in hand now. But obviously before going into those two questions—and they are linked with the question of wages, you cannot come to an immediate decision, because the whole of the things are linked together and you cannot come to a decision on one without coming to a decision on the other. What Government has done is to set up a commission to deal not only with railway wages but with the wages of all Government servants, because Government cannot deal with one section in isolation. They must deal with all their servants on a general level and simultaneously, and therefore it is the logic of this proposal that you cannot make any substantial immediate commitment. If you are to await the results of the Convention Committee, the Depreciation Fund Committee and the tribunal which I regard as being the equivalent of this commission which is being set up . . . . . .

Prof N. G. Ranga: Suppose you don't open up those two questions. Will it be impossible to consider the wage problem on the basis of the demands of the Federation?

The Honourable Sir Edward Benthall: I consider that they have got to be thought of together and the sooner we get on to these problems the better.

Prof. N. G. Ranga: Then you want to evade this issue?

The Honourable Sir Edward Benthall: No, Sir. I do not want to evade it but as I have said before I have some hesitation in committing the new Government one way or the other and that is really the position we are in today. It does require very careful thought and it shall have it and have it promptly.

In conclusion I should like to thank my Honourable friend, Mr. Karmarkar, for his kind remarks about my quitting India. I can assure him that I shall not be looking for a job but I can assure him also that my services will always be at the disposal of the new Government, if they want me, to serve India.

In view of what I have said, I hope my Honourable friend will withdraw his motion.

Mr. President: The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was adopted.

Shri Satya Narayan Sinha (Darbhanga*cum* Saran: Non-Muhammadan): Sir, may I make one point? We have got still three cut motions left on behalf of our Party. May I suggest that in order that we may be able to reach all these three cut motions, the time-limit for speakers except the Movers should be restricted to 10 minutes?

Mr. President: If the House so desires, I have no objection. I had suggested the other day to fix a time-limit for each cut motion also, but the Honourable Members told me that they would arrange matters amongst themselves.

Shri Satya Narayan Sinha: We have hardly three hours at our disposal now and we have got three cut motions. The other way by which these three cut motions can be moved is that you restrict each cut motion to one hour or give 10 minutes to each speaker.

Mr. President: I think we shall try to do it both ways; but it will be difficult, if a real point is to be made, to finish the speech in 10 minutes.

Shri Satya Narayan Sinha: I have suggested, Sir, that the Mover should be given 15 minutes and the other speakers who will follow him should have 10 minutes each.

Mr. President: It is for the Members to decide. Personally, I should have preferred a smaller number of speakers with better speeches rather than a larger number of speakers who generally cannot make further points within the short time given. I think it would be better to fix up a time-limit for a particular motion.

Mr. Ahmed Ebrahim Haroon Jaffer: Why not restrict the number of speakers from each Party?

Mr. President: That is for the agreement of Honourable Members. If they agree amongst themselves, so much the better for me. That is why I said that instead of having a larger number of speakers with a smaller time at their disposal, it would be better to have a few speakers so that they may be able to thrash out all the points. But I am entirely in the hands of the Honourable Members.

Mr. Muhammad Nauman: We can arrange that within our own Party: the Chair may not do it.

Mr. President: I am not going to do it. I have repeated thrice that it is entirely for the Honourable Members to adjust. The position stands like this. 15 minutes should be given to the Mover and ordinarily not more than 10 minutes to other speakers; and in the meanwhile we will restrict each cut motion to a time-limit of one hour

The Honourable Sir Edward Benthall: In the past there was a request that Government might put up two speakers—one at an early stage to place the facts before the House and another to wind up. Is that the wish of the House even now because it will take extra time?

Sri M. Ananthasayanam Ayyangar: We know what the Government is going to say. Therefore, two speakers from Government are not necessary.

Mr. President: I would prefer to keep that matter within my own hands. Government must place, to my mind, their position just in the beginning after the Mover has made his speech and another Government Member will have the right to reply.

Manufacture of Locomotives and Wagons

Pundit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sir, by moving this cut motion I propose to censure the Government for its policy of non-manufacture of locomotives in the past as well as in the present. The present policy of the Government in regard to locomotives, on paper is that the Government is committed to manufacture locomotives but, in effect and

practice, the policy is that they are procrastinating and are not out to manufacture locomotives. So far as the public opinion in this country is concerned, there are no two opinions in the country that the manufacture of locomotives is very essential, nay it is absolutely indispensable in the public interest. Judging from the point of view of national security, I would make bold to say that no other proposal is more important than this one in regard to railways. We have just heard a quotation from the speech of Lord Dalhousie. Whatever may have been the opinion of Lord Dalhousie and other Lords in the past that the railways were necessary for quelling disturbances in the country, at the present moment it is absolutely clear that for purposes of national defence railways are absolutely essential. I have just to quote the words of the Honourable the Leader of the House to substantiate my allegation. In his budget speech of last year he said:

"There is no doubt that the timely arrival of metre gauge engines and wagons played a significant part in the victory of Imphal and the replacements and reinforcements which broad gauge railways have received though relatively small hitherto, have just turned the scale in maintaining the civil life of the country."

I want to ask one question of the Honourable Member. What would have happened if these engines of the metre gauge had not arrived in the country? It follows that for security purposes and for national purposes it is absolutely essential that India should be self-sufficient in the matter of engines and other railway materials. This is a matter which the Government have admitted at times and have not admitted at other times just as it suited their convenience. In the years after the first Great War Government were anxious that locomotives be manufactured in this country. The reason was that on account of the political upheaval in the country and other causes, Government at that time realised that the absence of these locomotives would be detrimental to the best interests of the country. There is another reason also. At that time the manufacture of locomotives in England was not so beneficial as it became subsequently. This would appear from the speech of the late Pandit Motilal Nehru which he made in this House on 23rd February 1927. He quoted a communique of 1921 of the Government which ran thus:

"In pursuance of their expressed policy of making India as far as possible independent of outside sources in the supply of materials, the Government of India have had under consideration the question of the construction of Locomotive Engines in India, and they are now in a position to give a general undertaking that tenders will be invited annually in India for all the railway locomotives and locomotive boilers required by Government during the 12 years commencing with 1923."

He went further and said:

"Because in those days I referred by Honourable friend to the chapter on locomotives in the First Report of the Tariff Board. There they have shown that English manufacturers could not manufacture at a price at which they could be manufactured here and in fact they were driven to the expedient of selling below cost price."

To my mind, it is immaterial now, since it was admitted by the Honourable the Leader of the House two days back that India should be self-sufficient in the matter of railway materials, especially locomotives. Taking that to be the basis of my argument, I would ask what has been the policy of the Government in this matter during the last six years? I know that between the period of 1921 and 1939 the Government have been swinging to and fro on this policy. In 1921 the Government even went so far as to call for tenders from private manufacturers and a company under the name of Peninsular Locomotive Company Limited was started in India. About 30 lakhs of rupees were spent by that Company for this purpose, but nothing came out of it. Ultimately, this Company was wound up and the assets were purchased by the Government. All the shops and other things that were constructed by the Company were subsequently known as Tatanagar shops. I am just submitting to the House that previous to 1921 locomotives were manufactured in this country as would appear from a table given on page 1 of the report regarding the construction of locomotives in India in State Railway Workshops. It would appear that from the year 1885 up to 1926, 214 locomotives were prepared at Jamalpur, 108

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boilers and 99 tenders were also prepared and in Ajmer workshops they manufactured something like 435 metre gauge locomotives between 1896 and 1940. The report goes on to say:

"It may, therefore, be taken as established that there are no difficulties of a mechanical or other technical character standing in the way of Indian railways manufacturing their own locomotives in India".

I am submitting for the consideration of this House that so far as such aspects of the question are concerned as make for a successful venture of this kind, all things are present in the country. There is no difficulty of a mechanical or technical character standing in the way. Leaving this aside, we know that the manufacture of locomotives in this country is certainly cheaper and is bound to be cheaper than what it is in England and other manufacturing countries. I am not saying this on my own conviction. I am submitting this on the basis of the report by Mr. J. Humphries and Mr. K. C. Srinivasan. They say that in India even today the manufacture of locomotives would be at least 20 per cent. cheaper than what it is in other European countries. They gave many facts and figures in support of this conclusion and they are fully given in the report which will be found in the library of the House. Now, Sir, a perusal of this report would establish that as a matter of fact during the last twenty years, the Government by their policy of non-manufacture of locomotives in India have injured this country, if not more, at least to the tune of 20 crores of rupees. I make bold to say that a fair estimate on the basis which I have just submitted to the House would show to the satisfaction of the House that 20 crores have been wasted by this Government by not accepting and acting up to the proposal which they once themselves set up in this House. Sir, it has been found by this Committee that a locomotive of the weight of 145 tons could be manufactured at a cost of Rs. 98,000. Now Sir, this price of Rs. 98,000 is also exaggerated. As a matter of fact, a locomotive can be prepared at a much less cost, the price of materials which have been accounted for in this report has been taken on a maximum basis. The highest rates between 1928 and 1939 have been taken as the basis of this computation. It appears that as a matter of fact, it was not difficult for the Government, if they started works in 1921, (as they proposed to do and completed them in 1924, to prepare locomotives at the factory, and if they had done so, it is quite certain that the Government would not have been put to the trouble of making abnormal payments to get them during the war. In fact, during the war period, this Government paid abnormal prices when they imported 935 locomotives, B.G. and 415 M.G. during the period of the war. I am not using my own words. These are the words of the Honourable the Leader of the House. He said in his speech that abnormal prices were paid, that engines were not up to the standard and he further stated that something like 94 crores were spent for wagons and locomotives. Ordinary accounting would show that as between 1924 and 1939, about 1,525 engines were imported into this country at a cost which would certainly have been less by about six crores if the locomotives were constructed in India. On page 46 of this Report by Mr. Humphries and Mr. Srinivasan, they say:

"The 'X E' type locomotive has a different wheel arrangement (2-8-2) and weighs about 145 tons. On the basis of the lowest price, per ton, paid for an imported locomotive the cost of a 'X E' type locomotive would be Rs 1,23,685. It will be noticed that 'X E' locomotives purchased in 1930-31 have actually cost Indian railways Rs. 1,34,110 each, *i.e.*, about Rs. 10,000 more than the price of Rs. 1,23,685 as estimated above on a tonnage basis. The difffierence between the latter amount and the estimated cost of production of an 'X E' locomotive of Rs. 98,000 is about Rs. 25,000 equivalent to a saving of about 20 per cent. on the cost of the imported locomotive to Indian railways. During a period of increasing prices, the difference is more likely to be increased than lessened, and the conclusion can, we think, be fairly drawn that if broad gauge locomotives were manufactured in sufficient numbers in India, they would be generally available for the use of Indian railways at prices about 20 per cent. cheaper than the lowest prices at which imported locomotives can be placed on the line in India".

Sir, my submission is that even this Rs. 98,000 is a bloated price. According to their own findings, in some portions of this report it would appear that

the authors of this report indicated unequivocally, that engines could be manufactured at a lesser price. If you carefully go into the reasons why the Government did not manufacture locomotives between 1924 and 1939, you would find very interesting reasons put forward. Whereas in 1921, the Government had adopted the policy of manufacturing locomotives in this country, in later years, it gave up this policy. One of the reasons, very fantastic I should say, given by the Government was that they could not allocate the cost between manufacture and repair. That was one of the reasons given. The other reasons given were that the demand was not steady. May I humbly ask, is there any country in the world where the capital at charge on the railways is about 8.78 crores, mileage about 33,000 miles, track, 57,015, where 891 million passengers were carried in the year, goods to the tune of 132 million tons were carried, the gross traffic receipts were 225 crores, and the number of locomotives at present in use, 8,541, and the wagons 2,39,000? Is there any country in the world, where the Government of the country has got a huge undertaking like this and yet it has not got its own factory for manufacture of locomotives?

The Honourable Sir Edward Benthall: Sir, may I ask the Honourable Member if it would not be more interesting and profitable to the House that instead of going back into the history of the twenties, he would start to deal with the position today when Government, as he knows, have two factories in process of preparing to build locomotives.

Pundit Thakur Das Bhargava: I had gone into past history simply to point out how the Railway Board mismanaged the affairs of India and how it has injured India to the tune of several crores. I will now take up my subject from the place where the Honourable the Leader of the House asks me to take up. This report was published on 12th January 1940. I can quote apt passages from this report which would show the urgency of this matter. Para 92 of this report says:

"The demands of Indian railways for locomotives, during the first ten years of the locomotive life cycle between 1940 and 1980 are likely to be so large that railway transportation in India will be thrown out of gear if these requirements were not met promptly. There should be no greater difficulty in importing the machine tools that would be required for the new workshop than in obtaining the requisite number of locomotives themselves. As the actual demand for locomotives for the first five years of the next decade is likely to be much more than the maximum capacity of the new workshop, which, again, can only begin to function from 15 to 18 months after the work of building them has been commenced, a large number of locomotives will continue to have to be imported during these years. The countries from which the supplies have been available in the past are now more actively engaged in the production of armaments than in the manufacture of steam locomotives for export to India. In the circumstances, therefore, we feel that no efforts should be spared to ensure the manufacture of locomotives in India being started early."

Mr. President: The Honourable Member has a minute and a half more.

Pundit Thakur Das Bhargava: Six years have passed since this report was published. In para. 89, the authors of the report recommended early steps should be taken and it was expected that by the end of 1942, there would be complete equipment of these establishments. But what do we find? In 1943-44, the Honourable the Railway Member made a speech in regard to the railway budget in which he stated:

"The House will be interested to know that plans are already being actively prepared to set up a locomotive construction shop in India during the war if physically possible."

Now three years have lapsed and what do we find? In the speech of the Leader of the House he enigmatically said that work is in progress, from which one would be likely to gather that the work of manufacturing or of starting the shop or even the shop itself is in progress. On the other hand we find from the speech of the Chief Commissioner of Railways that plans are going to be finalised. But in the report of the Standing Finance Committee we read that the finalising of the plans also cannot proceed any further. It now appears that in the year 1945-46 we are where we were. As a matter of fact this Railway Board which can be called the locomotive of the railway system of India is entirely European, and therefore they do not want where there is a conflict of interest between India and England to adopt a

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policy which will be beneficial to India. As a matter of fact, the word 'locomotive' has the word 'motive' in it; and there is no 'motive' of the Railway Board to behave properly so far as India is concerned. As a matter of fact the entire policy of the Railway Board, if you kindly see it, will prove that the best interests of the country are not looked after; the Railway Board has been looking after the interests of Great Britain. Sir, the life of locomotives has been stated to be 35 years; the life of this white locomotive should also not have been more than 35 years. It is a worn-out body which cannot look after the interests of India and should be scrapped. I submit that this cut motion should be carried and Government should be censured. If they want to have this Railway Board it should undertake to have these locomotives manufactured as early as possible. The lapse of six years shows another loss of 10 crores, and more is likely to be lost if this policy is continued.

Sir, I move.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. Muhammad Nauman: Sir, I support the motion. For a long time we have stressed the need of manufacturing locomotives in this country. The history of this has been given and also the speeches made in the Legislative Assembly as early as 1927 were quoted by the Mover. It may be that the price-level during 1930 or even earlier was not favourable to the idea of manufacture of locomotives here because the cost of production might have been higher then compared to the cost of import from abroad. Now if you compare those prices with the prices we had to pay in 1940 onwards you will find that we paid four times the price that we would have paid in buying over our manufactured locomotives; and if that position was visualised I think Government would not have insisted on restricting the manufacturing capacity in this country. It is a well known fact that in order to develop an industry in any country a good deal of sacrifice has to be made in the early stages and without giving a fair trial for some time you cannot say whether it will be able to compete on the world parity prices or not. Whether you can be able to bring industry yield to the world parity prices is a question of time; and if we had started in 1927 or 1928 we would certainly have been in a much better position today. We need not have seen the difficulties in the matter of transport, as we did, only because sufficient locomotives were not at our disposal, and that is a position which has got very seriously to be considered for future as well. The Honourable Member has referred to the workshops at Ajmer, Jamalpur and Bombay and their capacity. I had an opportunity to visit Ajmer last year and I had a discussion with the Chief Engineer and the other authorities there, and I submitted a report of my visit to the Railway Board. What impressed me was that everything there was antediluvian. The whole workshop requires new implements for manufacture of what we require, in the matter of quantity and also of quality. Of course when I visited the workshop we were in the thick of the war and the possibility of any expansion could not be discussed then. Now that we can discuss this and draw up a programme, I say the need should be immediately met. Instead of importing locomotives we should import the machinery required for manufacturing these locomotives, otherwise this country cannot be made self-sufficient. In the meantime opportunity should be afforded to Members of this House to go and visit the workshops so that they may be in a position to make useful suggestions. The position is serious and, as we know, in the last five years in spite of orders having been placed in the U. K. and U. S. A there was no possibility of getting priority transport in time; and the result was that we had to go without these locomotives for months and years. Many of them were received late but there are many for which our orders still remain unfulfilled. Therefore it is clear that we need well-equipped workshops in this country to manufacture locomotives for our own use. I do not pretend to give expert advice; it is for the Honourable Member and the Railway Board to secure that expert advice, as to what kind

of workshop would be suited to the needs of a country like ours, and I only want to stress that this should be taken up as soon as possible and as soon as practicable. Sir, I support the motion.

Mr. P. K. Salve (Nagpur Division: Non-Muhammadan): Sir, it is my misfortune to speak to empty benches of the Treasury.

Shri Sri Prakasa: The Treasury itself is empty!

Mr. P. K. Salve: The Honourable the Transport Member is big enough to fill up the benches. He appears to me by his size and volume that all the sections of the Penal Code are rolled into one! But, Sir, on an important matter like this, it would have been better if I was able to give a piece of my mind—and not a very pleasant piece of it, either—to the Members of the Treasury Benches. This is a very important subject and of vital interest to our country, but they have no interest in this country, and that is why they are absent.

Sir, I have the speech of the Honourable the Transport Member before me, and I shall restrict myself to the figures given in his speech. It is stated in his speech:

"934 broad gauge engines were ordered last year 172 remain to come. 29 per cent. of 7,279 engines have passed the normal age and it may be necessary to order them from overseas. Those will be 2,110 engines."

I do not know why the word 'may' has been put in. You know, Sir, that the word 'may' is very often interpreted as 'shall' in law, and it is not 'may be purchased' but 'shall be purchased'. I shall not be surprised if there is an Ordinance to that effect that the War Transport Member shall purchase 2,110 engines from overseas. About the wagons, the figures are:

"8,000 Canadian wagons ordered, of which 6,000 have been received; 2,000 are to come, 10,000 wagons ordered from the United Kingdom, 3,800 received, 6,200 still remain to come."

That is the picture; the picture is that they have been ordered from abroad and they are coming. We have been looted and plundered already; further loot and plunder is in store for us. The old method of this Imperialist exploitation has not been discarded; it is still there; it is there with a vengeance. The people of India, through their representatives, have time and again asked that locomotives and wagons be constructed in India. There is sufficient material for it. The Honourable the Transport Member has told us that the locomotive works are now in the course of inauguration. These works are in the course of inauguration. It is a long, long course, Sir, and there is no plan, nor is there any estimate. The Honourable the Transport Member cannot and will not tell us when he will produce the first engine in this blessed Kanchrapara workshop.

The Honourable Sir Edward Benthall: I told the House that the other day.

Mr. P. K. Salve: He said they are in the course of inauguration. That may mean anything. It is like this Sir: at the back of his cranium the Honourable the War Transport Member has a picture of the workshop and the engine. He may or may not have even transplanted that picture and those designs on a blueprint. The workshop is in the air, and so are the engines of this precious Kanchrapara. He says, 'possess your souls in patience, and I shall deliver the engines' . . . . . .

Mr. President: Order, order. How long is the Honourable Member like to take?

Mr. P. K. Salve: Ten minutes more.

The Assembly then adjourned for Lunch till Half Past Two of the Clock

The Assembly re-assembled after Lunch at Half Past two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

Mr. President: There is just one Honourable Member who has to take the oath. Then I will call upon the Honourable Member to continue his speech

MEMBER SWORN:

Rao Bahadur N. Siva Raj (Nominated Non-Official).

Mr. P. K. Salve: Sir, I was dealing with this workshop of Kanchrapara and I said that the workshop is in the air and so are the engines of this Kanchrapara. The Honourable the Transport Member says "Possess your souls in patience and I shall deliver the engines" (We are constrained to cry with the Psalmist and ask, "How long, oh Lord, how long?" And the answer is "Not till kingdom come".

Sir, belonging to an imperialist frame of structure, as he does, it is not in the gram of the Honourable the Transport Member to develop and construct the Indian locomotive. We are asking him to do the unnatural thing and he and those of his ilk will put it off and put it off and put it off. Sir, they will put it off *ad infinitum* and *ad nauseam*. Why should they cause loss to England and Canada. Why should they not send the wealth of India to their relations in their homeland? They are the guardians and the watch-dogs of the wealth, past, present and future of their masters of the United Kingdom. That is why, Sir, in order to guard that wealth they will shoot down the patriotic men of the I. N. A., and the heroes of the Royal Indian Navy and the citizens of Bombay and Calcutta and Madras and all over India Sir, it is futile to hope that the Honourable the War Transport Member is serious about the Kanchrapara locomotive workshops. Last year he told us that the works are finalized or have been finalized. This year, in the budget speech, he says they are in the course of inauguration. In the proceedings of the Railway Finance Committee in the memorandum presented to us it is said—I shall read from the book itself on page 65:

"The ultimate repair capacity required by Kanchrapara in addition to the manufacturing capacity is a question of extreme complexity at the present time, and it is clear that until some estimate of the capacity has been obtained finalising of plans cannot proceed."

"Finalizing of plans cannot proceed": There is the end of the matter; that stops everything. Now what is this complexity? He has not told us that. Is it the imperialistic methods of exploitation that causes the complexity? These are the inconsistencies which have been placed before us. There is an attempt to throw dust in the eyes of the Honourable Members. It would have been better for the Honourable Member to have said, 'I am ashamed of it. I am unable to do it. It is not in the interests of my distant homeland overseas to build any Indian engines. My homeland stands to lose heavily.' Sir, these Britishers have swung back from the mood of chivalrous adventure to a mood of self-interest. These Britishers have swung back from the role of world deliverers to the role of England first, England last and England always. What has he in store for us? Two babes: one, the small babe of a workshop in Ajmer, still in its cradle, and the second the unborn babe at Kanchrapara, still in embryo. This is all he has produced in the last almost one century of the history of the Indian railways. Shall we sing him "halleluyahs" for these babes—one in the cradle and the other still unborn? I say it was unnatural for the Transport Member to deliver us any locomotive from Kanchrapara.

The House will bear with me if I tell them a story. It is a Puranic story. There was a King, and the Queen would not deliver a son. The King went to the hermitage of Rishis and by devotion and prayer pleased them. They were pleased with his devotion. They told him to ask for a favour and he said, 'let my Queen deliver a son'. They agreed and they got some holy water and sanctified that in a vessel and kept it in the hermitage. It was kept for some

days and mantras were read over it to sanctify it further to give it the necessary efficacy to make the Queen pregnant with a son.

One day the King went out for shikar and on his return he felt very thirsty. It was night time. Not finding any water anywhere else he took this vessel and under compulsion of thirst drank up the water. To the horror of the Rishis the water had disappeared. Next morning there was an enquiry. They wanted to know what had happened to the holy water. They found that the Raja had drunk it. They said the Raja must get pregnant with a son and the Raja got pregnant with a son. They told him that he had to deliver the son but he said it was not natural for him to do so. They said, natural or unnatural, you shall deliver the son. Sir, the foetus developed inside and for years to come it would not come out. It was difficult. It was unnatural. After years, Sir, when the foetus grew, it refused to remain inside and it burst through the ribs and the child came out.

Now, Sir, the Raja delivered, therefore, a son much against his will. I say that if the Honourable Member does not produce a locomotive in its natural course, at Kancharapara, it will burst out at some other place. It may be in the Government House at Delhi or Simla. These Houses are now well known to be producers of engines of repression and oppression. In course of time we expect that these Houses will produce real engines for the good of the people.

Mr. President: The Honourable Member's time is up.

Mr. P. K. Salve: As a matter of fact I would have dealt with the matter more thoroughly if I had time. These people are now telling us "We are going and power is going to be transferred to you. Treat us as if the imperialist Britisher was dead and gone". Sir, they have been dinning into our ears since the days of Mr. Edwin Samuel Montagu, the Jew Secretary of State for India, that the Britisher is dead. We have joined in their funeral procession. We have read their obsequeil ceremonies and we have chanted the last verses of the funeral. But when we went near the grave we found it empty. Further assurances have now been given that the grave will not be found empty. Sir, I have my fears and apprehensions. It is possible that when we get near the grave we might find this time the coffin box and the crosses and the flowers but not the body nor the dead soul of the Imperialist Britisher.

Sir, I support the motion.

Mr. A. C. Turner: Sir, after the interesting speech we have just heard I am afraid my remarks will appear very prosaic. We on the Government benches have been rather surprised to find that the Honourable Mover and the subsequent speakers have displayed an extraordinary out-of-dateness in dealing with the subject. The Honourable Members opposite still seem to be thinking of conditions in the year 1920 which are no longer of much interest to this House in 1946. They seem to have failed to realise that the failure to act in the past has now been superseded by the determination of the Government to get locomotives out of the two works which are being utilised by any means and as soon as possible.

First as regards Singbhum, we have already heard that boilers will soon be coming from Singbhum. It may interest the House to hear briefly the terms of the agreement with the Tatas for the manufacture of boilers and Locos at Singbhum.

The agreement is for 16 years from the 1st of June 1945 when Tatas took over the shop. The plan of production is that in the first year 50 boilers will be produced. In the second year the capacity will be stepped up and will reach the rate of 100 boilers. In subsequent years, the outturn will be 100 units, each boiler, or locomotive complete with boiler, being taken as one unit. Within 18 months Tatas must submit a scheme for the manufacture of 50 locos per year.

The production of locomotives is to be planned on the following lines. During the first two years after the date of the receipt of the plant and

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machinery the number will be agreed mutually. In the period thereafter 50 locos per year. Government have reserved to themselves certain controls over capital expenditure. Government have given a guarantee of purchase for the first two years of the entire production of boilers and thereafter of 100 units per year. If the company should at any time prove to be in a position to manufacture boilers or locos in excess of the guaranteed number, Government would purchase those in preference to imports. Government have further agreed not to enter into agreement with any other firm on terms more liberal than these

As regards prices to be paid for the boilers and locomotives for these which are produced in the first two years of the production of boilers and locos the price paid will be the actual cost with a maximum of the price paid for similar boilers or locos which are imported from the United Kingdom. During the rest of the period prices will be negotiated in advance on the basis of production cost *plus* 7 per cent. return on capital. The prices to be paid by Tatas for the different components and materials which they get from other Tata concerns will be regulated on a favoured basis. Penalties are provided for short delivery. They are Rs. 3,000 per boiler and 7,500 per loco.

Another condition is that the company will train apprentices nominated by the Government. Finally, Government will have a Director on the Board.

Diwan Chaman Lall: May I interrupt the Honourable Member to ask him if he can tell the House the number of locomotives that have already been ordered by the Government during recent months?

The Honourable Sir Edward Benthall: I can answer that. The answer is none.

Diwan Chaman Lall: Do I take it that no locomotives have at all been ordered to replace the . . . .

The Honourable Sir Edward Benthall: No further orders have been placed for delivery from abroad. There are, however, certain numbers still to come from abroad.

Diwan Chaman Lall: I hope my Honourable friend would realise that what I am asking for is information regarding the orders placed by the Government of India for locomotives abroad. Before this scheme comes into operation what is the total number of locomotives that have so far been ordered, so far delivered and so far not delivered?

The Honourable Sir Edward Benthall: I gave the figures in my budget speech. There are 934 broad gauge engines on order, of which 735 have been put into service, 29 had been shipped and have been already received in India and 172, at the time I made up the speech, was still to come from abroad. No further orders have been placed. It is possible that we may have to place some orders for passenger engines before these works come into operation. We shall defer that as far as possible. I may add that orders for boilers have been placed with Tatas as a preliminary to the orders for locomotives.

Mr. P. K. Salve: What happens to these superannuated engines?

The Honourable Sir Edward Benthall: Let my friend finish his speech and I shall explain.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): Another point which the Honourable Member should make clear is as to why these orders have been placed with Tatas and why not Government manufacture themselves.

Mr. A. C. Turner: Sir, I continue. I have dealt so far with Tatas. The other shop is Kanchrapara; and as has already been explained to the members of the Standing Finance Committee, Government have already ordered certain machinery costing 16 lakhs, and another 13 lakhs have been approved by the Standing Finance Committee for Railways for other expenditure, mainly on steel work and new drawing office accommodation. Further a provision of 82 lakhs has been made in the budget for the coming year, which will be spent

mostly on plant and machinery and such structural alterations as may be undertaken without imparing the general working of the shops.

In regard to progress at Kanchrapara we are experiencing certain difficulties in that owing to heavy arrears of maintenance of locomotives on the E.I.R. it is found necessary not to reduce the repairs which are being undertaken at Kanchrapara more than can possibly be avoided. This is delaying matters to a certain extent but that is a position which we hope will improve with time.

These then are the steps which Government have taken and are taking to implement their policy.

The last speaker quoted figures from the speeches of the Honourable the Leader of the House and made a calculation of the number of locomotives and wagons due for renewal. It may interest the House to know that 1,808 broad gauge and 780 metre gauge locomotives have passed the 35 year life basis, and that by 1960 as many as 4,312 broad gauge and 1,444 metre locos will have similarly passed the 35 year life. But what is important to note is that the fact that they have passed the 35 years life does not necessarily mean that they will be scrapped as soon as they have reached that age. Many of them will be continued in service even though it may be to some extent uneconomic, so long as they are required to move the traffic.

Turning to wagons, there are 3,834 broad gauge four-wheelers and 9,741 metre gauge four-wheelers, which have reached the forty years life limit; and by 1960 no less than 68,263 broad gauge and 19,626 metre gauge four-wheelers —as apart from bogies—will have similarly reached that limit. The House will therefore see that there is ample scope for activity in both the locomotive and the wagon shops for many years to come.

Turning now to the question of manufacturing capacity: as the Honourable Member for War Transport has said on more than one occasion, the wagon capacity of the country should be ample to take care of all the country's requirements. During the war, the industry worked its capacity up to a peak of nearly 800 wagons per month, and last year it manufactured 7,686 wagons. In addition to carrying over all the balance of the current year of 10,000 wagons of the 1945-46 order, a further order has since been placed for 4,100 G.S. wagons to follow the present order. The House therefore cannot have any possible complaint that the wagon industry in India has not been developed to meet the requirements of the country.

Some members of this House seem to be unaware of the fact that railway wagons are made in India. From 1942 to 1944, 4,776 wagons were turned out by firms in India; and as I have just said in 1945, 7,686 wagons were so produced.

Finally, as regards locomotives I think these figures have already been mentioned in this House, but I will repeat them. The estimated annual requirements in replacements are 200 locomotives, of which 157 are broad gauge and 43 metre gauge. The annual outturn expected from the two works to which I have already referred are as follows: Kanchrapara 80: Singhbum 50: Total 130. As the Leader of the House has already said, the question of a third works depends upon the ability of Singhbum to work up to 80 locomotives, that is an extra 30 locomotives, and upon the number of Diesel and electric locomotives which may be ordered in the future.

Sir Mohammad Yamin Khan: Sir, I want to take up only two minutes of the time of the House, and only on this point. I asked my honourable friend, who has just spoken, one question and he has not explained—why these orders have been placed with Tatas and why Tatas are being encouraged to put up a plant in order to build these things, while this House has been demanding that the Government itself should build locomotives and not give this work to any firm. If this policy is pursued, and if the Tatas are encouraged to put up a plant for building locomotives, then it will be very difficult in future to retrace our steps and for the Government itself to compete with Tatas later on. I think in the interests of the country it is advisable that Tatas should not be

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encouraged to put up the new plant for building these locomotives, but that all the money should be invested by the State. That is the only point which I wanted to say and I may add that the House has expressed this view very strongly in the past, and I hope it will again urge this point by supporting this Cut Motion and express their opinion once again that they are in favour of the Government itself putting up the plant and not giving it to any private firm. Sir, I support the cut motion.

The Honourable Sir Edward Benthall: Sir, as my honourable friend the Financial Commissioner has said, quite a number of members have apparently been dealing with the position as if it were the 1920's or at least a somewhat earlier date than the present and have suggested that this Government is not serious in its determination to go ahead with locomotive manufacture. I feel very strongly about it, as it was I who urged on the Government the desirability of making a final decision to go ahead during my tenure of office. I think it is rather unfair of members opposite to suggest that we are not in earnest over this. My friend Mr. Salve came out with very good advice concerning how to get on with the matter. I do not really think that I need that advice, because I can really claim that I am the father of twins already, if not of triplets. But I hesitate a little to claim the latter, because the Ajmer works is already in operation. What he complains of really, I think, is the delay in delivering the goods and for that purpose he has given some good advice as to what the Rishis would do in the circumstances. The normal answer for Government would be 'I will look into it' but Sir, I claim that that is not necessary. I have no need of Rishi water because I am already a proud father and he might well send a telegram to his friends to say "Both father and children are doing well".

3 P.M.

There are one or two Honourable Members who talked about the cheapness of manufacture in this country. I am not at all sure about this. That remains to be seen. We made a number of engines in the past. Some were manufactured at Jamalpur and we have been making them at Ajmer for some years. We hope to make 15 by the end of the next financial year there but when I was down in Ajmer last I went into the cost and I am by no means certain that it is economic. As my Honourable friend Mr. Nauman said, the works there are somewhat antiquated and they are not really fitted for modern locomotive manufacture. Perhaps that is one of the reasons why cost is not as satisfactory as it should be when you take into account full overheads which ought to be debited to each individual locomotive.

Then again some early speaker said that the Humphreys—Srinivasan committee suggested that the cost of an engine would be Rs. 98,000 but that, Sir, was a pre-war figure. My Honourable friend who quoted it was inclined to compare it with the war time cost of modern locomotives. Obviously with a different level of costs in operation, that is not a fair comparison. I cannot tell you what the locomotives are likely to cost. That depends on certain things but the capital cost which I think the Srinivasan report estimated at about 60 or 70 lakhs is now likely to be in the neighbourhood of 2½ to 3 crores at Kanchrapara. Then of course we are bound to have teething troubles in setting up any new industry in the country and you cannot expect to get very economic costs in the initial stages in setting up a big works. That has been our experience recently in the Tata works for building wheels and axles. We did not get anything like full production at the works in the early stages. Presumably that put up the cost, although I have no knowledge of it, but certainly the delivery was delayed. That is one of the reasons why we ordered a considerable number of wagons from abroad and also wheels and axles, because we could not get the outturn from these works which we expected because of the teething troubles. But, Sir, I understand that it is very definitely the policy of the country to go ahead with locomotive manufacture even if it is a bit costly at the start in order that the country may have its economic independence and be strategically self-reliant, and going ahead we are.

Then, Sir, one or two members criticised the imports during the war, forgetting, I think, that a good number of those engines were on lease-lend. It is said, quite correctly, that in accounting to the railways they were charged at abnormal prices. That is true to the extent that they were considerably more expensive to the railway budget then if they had been ordered before the war but I would remind the House that we now own these engines, they are pretty good engines and as a result of the financial policy we have followed they are written down to a pre-war value. It is also very doubtful if you could buy them cheaper today or if you will be able to buy them cheaper for some years to come. Meantime we have those engines at a written down value and earning good money for the country and I suggest that Government should rather be congratulated on a good stroke of business by the Railways than be condemned for getting these engines.

I do not think I need dwell on wagons. My Honourable friend the Financial Commissioner has pointed out that we are self-supporting in the matter of wagons. During the war, owing to the rapid increase of traffic, we required more wagons than the wagon works could put out and hence the reason for having to get them from abroad. The 1942-43 order was only delivered at the end of last year, that is to say, the orders which we should have got in 1943 were not delivered till 1945. It was not the fault of the wagon works. They had their difficulties in getting steel, wheels and axles and they were overcrowded with other operational work. But the fact remains that we could not get the production up at that stage of the war, so that we placed all the orders with them which they could take. Today we have over 6,000 still due on the old 10,000 order and we have placed another 4,100 with them for next year, so that they will be very fully occupied for a considerable time to come and from the figures which the Financial Commissioner has quoted it is clear that they will have work for a long time ahead.

Turning to the reasons why Tatanagar was chosen, I find that my Honourable friend is not here. I will refer to that again in a minute. First I will deal with Kanchrapara. It is said that there has been delay in getting ahead with the works there. Well, Sir, Kanchrapara is not a free works like the Peninsular Works at Singhbhum. There it was possible to erect plant and turn it over solely to the manufacture of boilers straightaway but at Kanchrapara we have had to carry on the permanent overhauls of locomotives at the same time. My friend Mr. Neogy in a previous debate and Mr. Salve this morning thought that they caught us out about the "finalising" of plans. I looked up the word 'finalise' in a dictionary to see what it means and strange to say I could not find the word at all. I think it must be a modern word which was not found in a 1901 dictionary, like 'maximise', 'hospitalise' and so on. But I take it to mean—"to bring to finality". When you are dealing with industrial works, I think any industrialist would say that in fact you never bring a modern works to finality. I have been connected with a paper mill in the past which was erected in 1881. I have been connected for 25 years with it and it certainly is not finalised yet and so far as I can see never will be. But the Kanchrapara works have gone ahead . . . . .

Sri M. Ananthasayanam Ayyangar: May we take it from the Honourable Member that these works will also take 25 years?

The Honourable Sir Edward Benthall: The Honourable Member has not understood the position. In modern works you are always adding and improving and you never finalise and that is what is happening in Kanchrapara. The works have gone on far enough ahead to enable us to get busy. But, Sir, as I was explaining, at Kanchrapara you are not dealing with new works; you are remodelling old works and you have got to provide for permanent overhauls of locomotives there. Your problem at Kanchrapara is to re-organise the old works and provide for adequate and increased quantity of permanent overhauls at works. The burden which is going to be put on the works is, therefore, bigger than we anticipated some time ago when we thought we should be able to do without the overhauls. Therefore, we have got to make the works larger than we expected. There is nothing new in that. Both at

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Swindon and Crewe in the United Kingdom construction and overhauls take place in the same shops and the only difficulty at Kanchrapara is that we have got to do rather more overhauls than we had expected and therefore we had to modify the plans to a large capacity.

An Honourable Member: When will you produce the first engine in these Kanchrapara works?

The Honourable Sir Edward Benthall: I will tell you in a moment. At Tatanagar, as my friend the Financial Commissioner said, the arrangement with Tatas is that they will produce blue prints by October 1946 and engines two years after. Therefore, they are due to produce engines about October 1948. The programme in the Kanchrapara works, where we are rather slower in going ahead, is to produce 30 complete engines in 1949, 50 the next year and then to work up to 80 in the next year or two. That is what we hope to achieve in addition to a heavy programme of permanent overhauls.

I would just like to make one point about engine construction. You might say that this is not an entirely new industry to this country. We have made them at Jamalpur and also at Ajmer. Our workmen are used to boiler repairs and, practically speaking, to making almost every part of an engine. What is new is to set up an entirely new works devoted primarily to engine construction. In the past as in the case of Ajmer and Jamalpur, the works were primarily devoted to overhauls and only incidentally to construction and very often to construction largely from parts imported from abroad. We hope in these new works to manufacture almost every part in this country instead of, as in the past, importing large portions from abroad and merely assembling them in this country.

I think I have answered all the points except the point of my Honourable friend Sir Mohammad Yamin Khan, who could not wait for the answer. He asked why did the Government go ahead with engine works at Tatanagar when the country wished the works to be Government owned? That was all gone into at the time and I think it was discussed on the floor of the House—certainly it was mentioned in my budget speech either of last year or the year before, last year I think—and no serious exception was taken to the policy then. The reason why we went ahead with Tatanagar was that we wanted to avoid delay. At Tatanagar we had these Peninsular shops which had been working for the manufacture of armoured vehicles. We found they could be released for boiler manufacture and we had on the spot the Tata firm with all their supervising experience. We had there steel and we could, therefore, go ahead at once so we entered into this arrangement with them in order to get boiler and engine manufacture going quickly. It is the quickest way we could do it and we did it. One of the governing factors was that we very badly needed the boilers as a war measure and, as I mentioned the other day, we hope to get these boilers in the very near future. They should be coming out of the shops almost immediately.

I think I have covered all the points and I hope I have satisfied the House that we are really going ahead in earnest and that these engines will come out of the shops and that everything that is possible is being done both by the Government and by the firm of Tatas to get the results as quickly as possible.

On the subject of wagons, as the industry is already adequate for the country's need and is fully kept with work, I do not think there is really any further to be said. I trust the House is satisfied that everything possible is being done to meet the situation.

Mr. President: The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was adopted.

Pandit Mukut Bihari Lal Bhargava (Ajmer-Merwara: General): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

I move this cut motion with the dual object, firstly, with a view to concentrate the attention of the House upon a question of great importance, namely, the suffering of third class passengers, and, secondly, because the attitude of the railway administration has been utterly callous and indifferent to the suffering of the lower class passengers. It is, indeed, regrettable that in these civilised times we have still to hear from the Honourable the Leader of the House that he is not armed with a magic wand by which he can change overnight the miserable state of affairs that prevails throughout the country in respect of the sufferings, miseries and tortures to which the lower class passengers are subject throughout the length and breadth of India. It is all the more regrettable because it is the third class passenger who is the best patron, benefactor and pay-master of the railway administration. It is a proposition which, I respectfully submit, cannot seriously be disputed by the railway administration.

The figures, as has been revealed by the latest official report of the Railway Board, clearly prove that out of the 76 crores and 64 lakhs that come into the coffers of the railway administration from passenger traffic, the contribution of the third class passengers has been no less than 58 crores and 88 lakhs. That is even during these abnormal times when according to the speech of the Honourable the Railway Member, the contribution from the superior class passengers has risen by 35 per cent. even then it is the lower class passengers who are contributing no less than 80 per cent. of the total revenue from the passenger traffic of railways. If we look to the number of passengers that travel year after year, we find that in the last year, 1944-45, no less than 91 crores travelled by third class as compared to 5 crores 88 lakhs of all the three superior classes, including Inter class. Notwithstanding this fact, we find the Honourable the Railway Member admits the deplorable state of affairs. He also admits the difficulties, the tortures and miseries to which the lower class passengers are subject, but he says, 'I am helpless, I cannot help because the conditions cannot be changed overnight, I am not a magician, I have no magic wand.' I ask Sir, whether after a century of continual exploitation to which the travelling public has been subject, this deplorable state of affairs should be continued any longer. We must admit this is due to hopeless mishandling of railway finances.

You will observe that as early as 1937, a committee enquired into this and its definite finding is that as the lower class passengers pay 92 per cent. of the total passenger traffic revenue, it should be the definite policy of railway administration to increase their comforts and conveniences in future. Let us see what has been done by the railway administration from 1937 to 1946. I submit with all the emphasis at my command that there can be only one answer, namely, that the conditions have steadily deteriorated. The lot of third class passengers has become much worse, in fact this is even admitted in the Budget speech by the Honourable Railway Member. I cannot admit the argument that conditions cannot be improved. According to the closing remarks of Honourable the Railway Member it will take at least 15 years to improve the conditions, if I have followed him correctly.

The Honourable Sir Edward Benthall: No, Sir.

Pandit Mukut Bihari Lal Bhargava: The last war has proved, if proof was necessary what human ingenuity could do to overcome difficulties and to improve conditions. If you are really sincere, if you are earnest, and if you are really enthusiastic to solve the problem, you can tackle it. These third class passengers have been subject all along to systematic exploitation by the railway administration. While they are the real pay-masters out of their income, they are exploited by the superior class passengers as well as by the

top heavy railway administration. It is a wonder to me why the Railway administration should say they cannot change the conditions overnight. The question is have you ever tried seriously to solve this problem with a sympathetic and with a real desire to change the conditions? I respectfully submit, it has never been done and it will never be done until and unless all the third class travelling public join together into a Union and give notice of a strike and bring about the same state of affairs as has been brought about in other concerns. The entire railway machinery will then be paralysed, if tomorrow the third class passengers decide not to travel in railways for some time, because, it is they who feed the administration. The grievances of third class passengers are as old as the existence of railways themselves. They have been ventilating their grievances in the press and on the platform and they have also urged for their redress on the floor of this House year after year. Notwithstanding that, nothing has been done beyond making hollow promises, couched in sugar coated language, and nothing has been achieved.

Let us now examine if their conditions are sought to be improved in any way during the Budget year 1946-47. I am surprised that even in this Budget nothing tangible has been mentioned on which the people can rely. I assume, it will be answered that a sum of no less than 76 lakhs, 64 thousand have been provided in this Budget for public amenities. But is there any guarantee that this sum which has been provided in the name of public amenities will be utilised for lower class passengers whose claims and whose needs are definitely greater than that of the upper class passengers. It is just possible that the entire sum will be spent by the railway administration towards improving the amenities of superior class passengers, towards making the first and second class carriages comparatively more comfortable or even converting all of them into air conditioned coaches as has been suggested in the Railway Budget. So far as third class carriages are concerned, it has been said that improved types of carriages are being made. We do not know when these carriages are likely to be run. In the Explanatory Memorandum attached to the Budget, it is said that about 290 carriages most of them broad gauge carriages will be constructed. We do not know whether all of them will be of improved design. Then again it is not said whether these carriages will be run on lines before the expiry of this year. Perhaps they may not come into existence at all. Then what will these 290 carriages do when we find that more than thirty thousand carriages are already in existence and are needed for use daily on the railways? If the process goes on at this rate it means that third class passengers must wait for another sixty years before their lot can be improved. I submit that this is nothing but bungling the entire business. His needs are so great and his troubles are so acute that immediate relief is necessary and it cannot be deferred for any number of years,—whether it is 15 years or fifty years.

The misery and trouble of the third class passengers begins from the time he comes to the booking window for buying a ticket and lasts until he reaches his destination. At the booking window he has to go hours before the train is due to leave because he is not sure if he will be able to buy a ticket; and if he is of a frail constitution he will either have to go without a ticket or take the help of a police constable or a bully who can alone help him. And what about the waiting shed? It is extremely dirty, there is no latrine or washing-place or bath-room; and if a passenger has to put up there at night while breaking a journey, he runs the risk of being robbed by pickpockets or thieves. And these sheds are so dirty because they are easily accessible to dogs and all kinds of cattle. Then when he goes to the platform he has to make a big struggle to get into the compartment, and he has to get in somehow or other. He very often has not got the space to sit down or even to stand, and we know that sometimes he performs a long journey by standing on the footboard, so much so that a law was made making it punishable. But he has to travel on the footboard even at the risk his life because he has to perform the journey somehow. Then in the compartment itself you find overcrowding

to the point of suffocation. Cases of [illegible] are fairly frequent in many trains in summer. If a passenger has to go to the latrine at night in a compartment which has no light or very little light, you can imagine the state of things he is confronted with. The latrine itself is very small, only 2½ ft. by 2½ ft., and it is with great difficulty that one can get into it, and for a fat man the trouble is all the greater.

Then the third class passenger, according to the railway administration, has perhaps no claim to travel by fast trains. In my own province of Ajmer we find that even on trains running on metre-gauge the third-class passenger in order to secure a seat in a mail train must pay extra fare.

Mr. President: The Honourable Member has just one minute more.

Pandit Mukut Bihari Lal Bhargava: While the First and Second class passengers can travel in fast mail trains without paying anything extra, there is no reason why the third class passenger should be asked to pay extra. What is the reason for this differential treatment to the third class passenger? There are trains like the B. B. & C. I. Mail and the Frontier Mail which have no third class carriages. I submit that this distinction is unjust.

Then, Sir, several trains which used to be run formerly have now been stopped and I want an assurance from the Transport Member that of these 76 lakhs of rupees provided in the Budget at least 90 per cent. should go to the third class passengers and to the amelioration of his condition. Then there is awful paucity of water at the stations as also of good food. I submit these are ordinary amenities in modern times, and these should be provided. And if they do not undertake to provide these things they will be made to undertake them. Sir, I move.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Khan Bahadur Zafar Hosain Khan (Government of India: Nominated Official): Sir, the major inconvenience that my Honourable friend has referred to results from overcrowding. Almost every railway administration in the world in the belligerent countries as well as in the neutral countries has had to face this overcrowding and has seen a continuous and unprecedented increase in their passenger traffic during the war. In all countries directly affected by the war this vast increase in traffic has had to be worked with considerably curtailed train services. India has been no exception to it and it is possible that conditions of travel in certain parts of this country have been as bad as elsewhere in the world. During the war quite a lot of propaganda was undertaken by Government to reduce unnecessary travel, but it did not have much effect. The passenger travel in terms of passenger miles, apart from military specials, is now nearly 2½ times the pre-war figure. The remedy of course is more coaching stock. It has also been mentioned that railway administrations should put more coaching stock into use. As stated by the Honourable the War Transport Member in his speech while introducing the Railway Budget, the improvement of coaching stock position is one of the major tasks of railways in the next few years. During the war it was quite impossible for the railways to build their own coaching stock or even to obtain additional carriages from outside sources. However, as soon as some materials became available, the railways commenced building on any underframes they could collect; and I may repeat what the Honourable the War Transport Member said the other day, that absolute priority has been given to the construction of lower class coaching stock. We have been able to obtain about 800 underframes both of broad gauge and metre gauge, and these with all spare underframes will be utilised for the early increase of lower class passenger stock. It will not take us fifteen years, as has been alleged by the Honourable Mover, to build this stock or to implement our present stock of coaching vehicles. But it cannot also be done overnight. It must take time and it will not be very long.

Then my Honourable friend, Pandit Mukut Bihari Lal, has referred to the inconvenience of the third-class passengers at the booking offices. At some stations, it is true, that there is a great deal of overcrowding opposite booking offices, and at most of those stations, Railway Administrations have put up

[Khan Bahadur Zafar Hasan Khan]

army, in order to teach the queue habit. It has met with considerable success, and I think that in course of time that unnecessary overcrowding opposite ticket windows is bound to diminish.

He then referred to the difficulties of latrines. In the new coaching stock that we are building, latrines will be of much better type, and now that the workshops have been diverted to the overhaul and repairs of coaching stock, as this stock comes in to the shops, efforts will be made to improve the latrines.

That is all I have to say, Sir.

Mr. Ahmed E. H. Jaffer: Sir, I rise to support the cut motion of my Honourable friend, Pandit Mukut Bihari Lal Bhargava, with regard to inconvenience of passengers travelling on the Railways. I must say that I have read with interest the speech of the War Transport Member introducing the Railway Budget and I congratulate him on his promises and assurances of doing this and that when the time comes which, I hope, will come sooner than later, but till then the position of the passengers remains what it is today. I am afraid the position is going from bad to worse. I wish the Honourable the War Transport Member had told us or given us some idea as to the period when the situation will improve and when the proposals which he has laid down in his speech would take effect. Of course his proposals are very good on paper, and we are looking forward to that day when these plans will fructify and when his proposals will take actual shape.

The story of the difficulties of travelling of these third-class and upper-class passengers—and I will first deal with the difficulties of third-class passengers—is a sad story, and indeed it is an old story. This question has been discussed in this House, year in and year out, but I must say that things have not improved in any way. The question of third-class passengers is rather very unfortunate. I am proud and happy to say that I had the good luck of travelling in third-class when upper class accommodation was not available and from my own experience I can say that one has to sit with hands and legs folded. The position is rather disgraceful, and I hope the railway authorities would look into the question at an early date. This is not a question that concerns one province or another. It is an all-India question and needs to be remedied immediately.

Sir, there is no use moving these cuts because the cuts are passed and the Government knows for certain that the Demands will be certified by the Governor-General, and the officials will receive their salaries. I think it is rather a criminal waste of time unless our recommendations are accepted and attention is paid to them. In the year 1903, Sir Thomas Robert, who was Special Railway Commissioner recommended special measures. In 1916—as I have said it is an old story—the Sanitary Commissioner of the Government of India submitted his report. In that report he said:

"The Government of India can hardly be aware of the amount of ill-feeling and ill-will towards themselves that these two conditions, namely over-crowding of ordinary trains, and pilgrimage specials. . . . ."

After that in 1920-21 the Railway Committee said:

"The view has been urged upon us that 3rd class passengers suffer relatively more than other users of Railways, from lack of adequate facilities and that, though they contribute by far greater part of the coaching earnings and nearly 1/3rd of the whole revenue, their requirements have received less attention than those of organised traders and more local class of passengers."

The income received by Government from the third-class earnings last year was greater by 18 times than the 1st and 2nd class earnings. Similarly the number of persons travelling was 90 times greater than those of the upper classes. In view of all this, I appeal to the Railway Board to see that the grievances of the third-class passengers are redressed and special attention is paid to their grievances.

It is no use denying the fact that third-class passengers have got to come to the railway stations 8 hours earlier to get their tickets. In most cases they

return disappointed and several times they have to buy tickets in the black-market. On more than one occasion I have seen that they have to sleep on footpaths a night before in order to get their tickets next morning.

With regard to waiting rooms for third-class passengers, the position is very bad indeed. They are overcrowded. Most of the waiting rooms on sideway stations have no roofs, no arrangement for water, no lighting arrangements, and no latrines. In the trains there are no fans. In his speech the Honourable the War Transport Member made no reference to fans in third-class compartments, though there is a reference to inter-class. I hope third class passengers will also have the good luck of enjoying fans in summer.

Then, Sir, I would like to refer to the question of third-class passengers being denied the facility of travelling by mail trains. In the Frontier Mail, for instance, we have no third-class bogies. Third-class passengers are really the people who need travelling quicker because they cannot find room to sleep on the journey. If arrangements are made for them to travel by mail trains, they will be able to reach their destination quickly and they will not have to spend their times sitting in the train at night.

Same are the difficulties of Inter-class passengers. I know that in the inter-class compartments the position is worse still; passengers are packed like sardines, and most of them have to keep standing all the time. I hope additional inter-class coaches will be attached on all the trains, or some other arrangement will be made to redress this grievance also.

Now I come to the question of upper-class passengers's difficulties. The second-class compartments are over-crowded. Tickets are issued for more passengers than the seating accommodation can provide. I hope this will not be done. I have seen that many passengers have to sleep on the floor and in most cases they cannot get accommodation even after buying the tickets. There is no light in the bathrooms. We now see heavy imports of bulbs in India, but I regret to say that even today, at any rate on the G. I. P. and the B., B. and C. I. we have no bulbs in the bathrooms of 2nd class compartments. In 1st class bathrooms bulbs have come on the scene in some cases, but lighting arrangement in 1st and 2nd class compartments should be improved. Waiting rooms are not well furnished; bugs are in plenty. At times there is no servant and the waiting rooms remain locked and the keys are kept by the Station Master. There is no light in the waiting rooms at night.

I fail to understand this when railways like the Nizam State Railways have all the comforts and conveniences and they have always had them during the war. I have travelled by those trains and whether you take the first, second or third class compartments or their bathrooms, you will find bulbs everywhere. They have better arrangements. And here we are told that "the war is on and due to war conditions we are not able to see to the comforts of the passengers". I wish Government would follow the good example of the Nizam State Railway.

Considering the difficulty of the passengers, may I appeal to the Honourable Members, particularly to the railway officials and the Honourable Members of the Executive Council to do away with travelling in saloons. I remember when the Congress Governments came into power, Ministers used to travel in second class compartments. They had four berths. Saloon travelling was done away with. I say that until times are better, until the situation improves. I feel that the travelling in saloon by the highest railway officials and even the Executive Councillors should be done away with. Once I saw a Member of the Nizam Executive Council, Honourable Mr. Syed Abdul Azeez, Law Member offer his saloon to the military officers to travel from Hyderabad to Bombay when accommodation was overcrowded. If these saloons which are lying idle could be turned into railway compartments and if Honourable Members when travelling could divide part of their saloons, I think the position could be remedied and I think the other passengers would be able to have some accommodation to travel by those saloons.

[Mr. Ahmed E. H. Jaffer]

I come to the question of retiring rooms for the passengers. In stations like Bombay and Delhi and Ajmere we have retiring rooms. I suggest that the question of retiring rooms in other stations should be considered, because in many stations there are no hotels. If there are retiring rooms the difficulties of passengers could be remedied. Where there are such rooms, most of them are kept for railway officials. I suggest that the use of these rooms by railway officials should be discontinued. They should occupy their own railway quarters. Once in Bombay when I went for a retiring room, I was told that under the orders of the Chief Traffic Manager the entire six retiring rooms were reserved for the railway officials for three days because they were leaving for England. Where are the passengers to stay for three days? I am not complaining of the railway officials on duty at the V. T. who are always courtious and obliging but the orders from above compelled them to refuse the passengers.

Mr. President: The Honourable Member has one minute left.

Mr. Ahmed E. H. Jaffer: Then I will bring to the notice of the authorities the difficulties of lady passengers travelling by train. I have noticed that in passenger trains there are no compartments reserved for lady passengers. I hope they will make arrangements to see that in passenger trains we have railway compartments reserved for ladies. I do know that in the mail trains they have, but not in the passenger trains.

Then I would refer you to the question of air conditioned coaches. Now that the summer is coming, if some of the coaches could be air conditioned—I do not suggest that additional coaches should be imported: if they could be the better, but air conditioning should be encouraged and while there are air conditioned coaches for the first class, I suggest the second class passengers should not be denied the right of having air conditioned coaches. They are prepared to pay the extra charge of Rs. 12-8 from Bombay to Delhi if you could turn the second class compartments attached to I class Air-conditioned coaches in the Frontier Mail, this will be welcomed by II class passengers.

Now to the question of catering on trains and the way the food is sold on the railway station, I shall deal with the question of food sold for the third class passengers. I wish the Government, before giving licenses to the food vendors would make compulsory that they would be medically examined once a week or so. There should be some sort of medical arrangement for inspection. In some cases they sell their food without cover. We see a lot of flies on the food. This creates cholera. If the medical authorities are asked in the station to examine this, I think the position will improve. Similarly the question of catering for first and second class passengers is far from satisfactory. I differ in one respect from my Honourable friend, Mr. Nauman. I do not know whether the Government could do that job better. If they could, we are prepared to give them a trial. In any case the condition should improve. I know that on the North Western Railway the present contractors supplied aerated waters which contained germs. I am told the report about this is being pursued. I hope all these things will be remedied.

Mr. President: The Honourable Member's time limit is over.

Sjt. B. S. Hiray (Bombay Central Division: Non-Muhammadan Rural): I rise to support the cut motion. While doing so, I, as a back-bencher in this House, take great pride in getting this chance to ventilate the grievances of the back-benchers of the railway—I mean the third class passengers.

Sir, the agony and torture of the third class passengers is beyond description. The treatment meted out to them is most disgraceful and the indifference with which their grievances are looked into is most callous. The culpable negligence of the railway authorities in this respect is beyond explanation and deserves strong condemnation. Sir, the miserable lot of the third class passengers is heard in this House year after year. The miseries of the lower class passengers are as old as the railways. It was expected that the end of the

company rule of the railways will abolish the miseries of these passengers our expectations have proved to be mere wishful thinking. Each year in this House a cut is moved and carried. Every year the hardships to which the third class passenger is put are described with vehemence and force. The difficulty in getting the ticket, lack of accommodation in the trains, the lack of sanitary conditions on the station and in the train, the lack of good water supply, waiting rooms and proper food arrangements are each year vividly described. The overcrowding in the third class is notorious. The getting in and the getting out of the third class compartment is an ordeal in itself. But still the Railway Member is not moved.

Sir, the Railway Board has done nothing to better the lot of the lower class passengers. Last year when this point was debated the Government spokesman, one Col. Wagstaff, who looked at railways as a business concern, assured this House that better coaches are being provided and every effort is being made to provide amenities to the lower class passengers. A year has since passed but the matters have not at all improved. The Honourable the Railway Member also had assured this House last year that everything possible will be done, but the position has still deteriorated and the third class passengers, as usual, remain the most neglected client of the railway.

Sir, in the Upper House the Chief Commissioner of Railways has stated that during war time the railway workshops, among other things, constructed twenty-five ambulance cars out of which seventeen were air conditioned. If this is true, Sir, it means that the railway administration has the staff and the skill to construct the suitable coaches for the third class passengers also. But, it seems that they have not the will to improve the lot of the third class passengers and hence this callous neglect.

It is only the road competition that has forced the railway administration to pay some attention to the amenities of the third class passengers. (Interruptions). The Wedgwood Committee came to the rescue of the Railway Board and suggested control of road traffic. This House agreed to the proposal of road control by passing the Motor Vehicles Act with the hope that if the railway earnings increased the lot of the third class passengers will be improved. But it is strange to find that though the railway income has increased by 100 per cent., the lot of third class passengers has still further deteriorated.

4 P.M.

While controlling the road traffic now, the Government further thinks that they should also monopolise the road services so that they may rule supreme in this transport business throughout this country. Monopoly business Sir, whether of an individual or of a corporation or of a state, unless it is a democratic state, is harsh and will squeeze the public. Therefore this House will not agree to this Government monopolising all the transport business that way.

While describing the hardships of the lower class passengers one cannot help criticising the luxuries provided to the upper class passengers. They have special ticket houses, they have special accommodation they have special waiting rooms, special dinner rooms and dinner coaches attached to the trains and above all they get preferential treatment from the railway staff. It has been proved beyond doubt that this particular class of travel is subsidised by the lower class traveller. The Wedgewood Committee has stated that the Deccan Queen is a losing proposition. The war has to some extent improved the matter. But war transport is subsiding, and it must be remembered further, that this boom period will also not last long.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)].

Moreover, many times we see that many people travel by upper class today through helplessness, as they find it difficult to get into the third class compartments. Usually a man purchases a third class ticket and when he finds that there is no accommodation in the third class or that he cannot effect an

[Sjt. B. S. Hiray]

entry into the third class compartment, he gets into the second class compartment and then pays the excess fare. This has to some extent raised the earnings of the upper class, but still the income from the lower class fares is nearly 80 per cent. of the passenger traffic income. This higher income from upper classes will not last long and the Honourable Member for War Transport therefore must look to the lower class traveller as his chief supporter and abstain from subsidising the upper classes.

This time the Railway Board has kept aside a fund of 15 crores known as the Betterment Fund but that fund is not meant for third class amenities only as is generally understood in this House or outside. This fund has its own history. In February 1945 the Standing Finance Committee expressed the view that "steps were necessary towards building and adequate reserve during years of prosperity for financing the amenities to lower class travellers, expenditure on which is not likely to be remunerative". Accordingly taking into consideration this recommendation, the Government has decided to form a separate fund not only for third class passengers amenities but amenities of all the passengers, and on works connected with staff welfare and on certain other classes of works which cannot be remunerative. It seems that these 15 crores which have been set aside are not only meant for third class passengers' amenities but also for better coaches for upper classes, and better stations may be also constructed out of it.

Mr. Deputy President: The Honourable Member's time is up

Sjt. B. S. Hiray: I want two or three minutes more, Sir, to finish my speech.

You will be surprised to observe Sir that still lower class passengers are huddled in goods wagons. I have a letter from the President of the Chamber of Commerce, Sangali that on the 14th of this month people travelling on the Barsi Light Railway were huddled in goods wagons, men women and children together. Last year the War Transport Member wanted to know whether goods wagons were still being used for passenger traffic. Here is definite information in that respect. Will the Honourable Member look into it and see that such brutal treatment does not continue any longer? The President of the Chamber of Commerce, Sangali writes that it is high time that the Barsi Light Railway is taken over by the Government I commend the same to the Honourable Member.

I am informed that some trains are out of bounds for military personnel. Military men with all the respect that they deserve have added more to the hardships of the lower class passengers. No sooner the train reaches the platform than these people burst open the door, throw their luggage and themselves into the train not even caring whether anyone inside is hurt or injured Once he gets in he occupies a whole berth even if need be by force. If it is true that military personnel are not to travel in the coaches reserved for civilians or that some trains are prohibited for them, will it not be wise, for the convenience of the civilian passengers, to mention the same in the railway timetables.

Similarly this scandal of obtaining tickets at big stations can also be humanised. You have advertised that the booking offices will be open for 24 hours but that is not done. Most of the time the booking offices are closed and are opened hardly an hour before the train's arrival. If you can by experience come to a conclusion on the average issue of tickets and fix a quota, I am certain that the miserable queues can be avoided and public torture spared.

The amount allotted for public amenities is still negligible. No provision is made to relieve the overcrowding. The programme of building coaches is not speedy enough. I do not know whether the Honourable Member has any idea of running more trains to relieve the traffic but there seems to be no hope of that. It comes to this, that the lower class travel will be as it is for a year or more. Hence Sir, I support the cut.

The Honourable Sir Edward Benthall: Sir, we all of us know only too well the conditions of third class travel, we all of us deplore that they should exist and we all know the reasons why they have been so difficult during the war. I think the best thing that I can do this afternoon is to give the House some information regarding the progress that has been made towards a return to the normal and the sort of programme that we have in view for effecting the improvement.

My Honourable friend the Member for Bombay Southern Division: Muhammadan Rural, asked when we should expect an improvement. Soon after V.J. Day we took the matter in hand and we put on altogether about 665 trains with a daily increased train mileage of over 39,000 miles, 39,000 miles a day of train mileage. That must have afforded relief to a very large number of people. We were able to do that despite the fact that we have only had back from the military between V.J. Day and the 1st January something like 102 coaches on the broad gauge and about a dozen on the metre gauge. I mentioned in my Budget speech that there were no fewer than 1,366 broad gauge and 416 metre gauge coaches still with the military. 1,366 broad gauge coaches as against 102 we have got back so far and 416 metre gauge coaches as against a dozen or so that we have got back so far. When these come back to us and we have reconditioned and put them into service, it is quite clear that a very great improvement will take place in passenger travel.

Maulana Zafar Ali Khan (East Central Punjab Muhammadan): When are you likely to get them?

The Honourable Sir Edward Benthall: I was just going to mention that. Everybody is anxious to know that—we are just as anxious as my Honourable friend to know when we are likely to get those back. The answer is that they will begin coming back before very long, and the reason for their not coming back faster is this. Only recently are we beginning to receive back from overseas, from the Far East large numbers of troops who went on service in those countries overseas. They are now coming back at the rate of something like 40,000 a month, and all those troops have to be carried, largely up to the north of India, every month. In addition to that there are all the troops which have to be brought back from the Burma frontiers and from all over India back to their homes to be demobilised, come from Bengal to Madras or wherever they happen to live. There are also large numbers of men still serving in India who have to have their ordinary routine leave. The result is that there are still very large numbers of soldiers still requiring to be moved. But it is a gradually decreasing number as demobilisation goes on, and so we have strong hopes, as a result of looking into this programme for moving these troops, that we shall begin getting back substantial numbers of vehicles from April onwards. From that date the military demands will begin to decrease, until they gradually fade away into practically nothing, when we shall hope to get back the bulk of the vehicles which are now with them. It is quite clear that this will make an enormous difference to the conditions of civilian travel. Not only that. We are taking other steps to provide new coaching stock, apart from the stock that we are getting back from the army. It was mentioned that something like 216 broad gauge underframes and 94 metre gauge frames or 310 altogether, are expected from Australia, and bodies will be built on them as soon as they arrive. In addition to that, we have 165 broad gauge underframes in hand being fitted with bodies in the railway workshops, and we have 83 metre gauge underframes now being fitted in the railway workshops. In our 1946-47 programme we have 278 broad gauge and 168 metre gauge coaches on the programme. The orders for these underframes have not yet been placed, but so far as possible indigenous resources will provide them.

That gives some detail of what we are doing in this country now to provide carriages.

I mentioned the other day in the House what our long term programme was and said that over a period of years our annual requirements based on an average life of 35 years would be 820 carriages per year—366 broad gauge and

[Sir Edward Benthall]

4½ metre gauge—costing 4 crores a year. That is our forward programme. I think that, if you will consider those facts and bearing in mind that as soon as possible we shall fit the new type of carriage with easier sitting accommodation and sleeping accommodation for third class, there will be a very steady appreciation in the quality of travel, from the point of view both of room for the individual and of their comfort also.

I shall just mention one or two other points. The lighting position should definitely become better. As I mentioned earlier on in answer to some questions, we ordered over 5 lakhs of bulbs for last year, but we got less than 4 lakhs—we were 1¼ lakhs short, which explains why railway carriages are still not as well lit as we had hoped. For 1946 we have requirements of nearly 4 lakhs of bulbs, but we have some hope of getting 7½ lakhs, and if we get that figure of 7½ lakhs our lighting problem should be a very different one by the end of the year.

As regards saloons, it was suggested that ministers in the provincial governments used to travel 2nd class. I suggest that if they did that they would not be able under present conditions to do very much work *en route*, and if a second class compartment was reserved for them, then they would be crowding out other second class passengers and creating still more pressure on the available second class, because there are not extra coaches available and therefore if they went into the second class they would be pushing out somebody else. Railway servants have to travel in saloons because it is their home for the time they are out on tour. The orders are that their use must be restricted as much as possible but their use does not make any difference to the convenience of other passengers because, as I said, they are not shutting out other coaches and therefore if their saloons were not attached on necessary tours, it would not make any difference worth while speaking about. As regards the use of saloons by higher officers, I may say that the Board have given up all their saloons, excepting one for emergencies, and other high officers such as Principal staff officers have given up the use of their saloons also. So to a large extent have the General Managers, except when they have got to use them for their business. Therefore in these days minimum use is made of saloons.

My Honourable friend Mr. Hiray said that we had not revealed our programme for coaching stock. Well, I have revealed it as fully as I possibly can. I do not think he can really want more figures than those I have given this afternoon. He also said that in our road programme we were wanting to do away with competition between the road and rail. That is not the case. We have made it perfectly clear that we want the road and the rail to compete in service, and I think myself that, if we can provide quite comfortable rail accommodation, you will find many people who now go by bus returning to the train. When you see the type of sitting accommodation we hope to fit, it will be a certain advance over what the bus can provide and I am sure that many people will prefer to travel by train rather than by the relatively uncomfortable bus. I am hoping that that will be so; but our whole objective is to get competition in service, but not competition by cutting the rates, which will mean in the end decreased service for the public.

In conclusion, the Honourable Member seemed to think that a good deal of the programme which I have given him is not one that is likely to be realised. I do not know how to answer an Honourable Member whose criticism is entirely destructive. I do not know how he can expect us to produce 10,000 carriages of an improved type out of the hat overnight. He complains that this programme has to be spread over a number of years. Any practical man would realise that that would have to be the case. I should be grateful for any suggestions as to how it could be speeded up. In the course of his speech he referred to the 76 lakhs set aside for amenities to the public and he wanted an assurance that the bulk of that was to be spent on third class passengers. Am I wrong in presuming that if he gets a satisfactory answer to that, he will withdraw his motion?

Pandit Mukut Bihari Lal Bhargava: No.

The Honourable Sir Edward Benthall: I thought not. I think my Honourable friend is not really interested in my answer to his question. The answer is this. If he will look at page 17 of the Explanatory Memorandum, he will find the details set out under 9 or 10 heads of how that money is to be spent and on what railways. I have not got any more details as to what percentage precisely is to be spent on the third class passengers.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): Why don't you travel in third class one of these days and find out the amenities for yourself?

The Honourable Sir Edward Benthall: When I travel, I keep my eyes open.

Shri Sri Prakasa: Don't do it. You will inconvenience so many passengers. Other people will be crowded out.

The Honourable Sir Edward Benthall: Anyway I can give the assurance that the orders to the Railway Administrations are that the amenities of the lower class passengers are to take priority and I should think that well over 75 per cent of this expenditure will probably be for the benefit of the third class passengers. If you look at the provision for raised platforms particularly on the B., B. and C. I. and South India, it is difficult to say how much of this is earmarked for third class passengers and how much for upper class. You can only divide it up according to the number of heads travelling and of course the number of third class is 90 per cent. or more.

Mr. P. K. Salve: What arrangements are you proposing to make for travel at nights? Are you thinking of obtaining the type of the Pullman car or coaches as in America—for the comfort of long distance travellers at night?

The Honourable Sir Edward Benthall: They are not exactly like the Pullmans in America. The new design of third class coaches provides a fitted seat which gives much more seating comfort than the bare board which a third class passenger had in the past and it also has folding backs which turn into three tiers of bunks which will provide for sleeping. I have seen the new design. If it is possible to get one for the Central Advisory Council to have a look at, I will try to do so.

Mr. Tamizuddin Khan (Dacca *cum* Mymensingh Muhammadan Rural): Will the third class coaches that will be built henceforward be of new type? Have you got any programme in the coming year? How many coaches of the new type are proposed to be built?

The Honourable Sir Edward Benthall: I have not got the details with me. The carriages which are being put on to the underframes in the shops at the present moment are of the old improved type but not of the new type, because we have not got up to that stage but the whole of the new programme, as soon as possible will be turned over to the new type.

Mr. P. K. Salve: If not a Pullman car, is it going to be what I may term a Killman carriage?

The Honourable Sir Edward Benthall: I think I have covered all the points. I should like however to mention one point. The difficulties which we experience on the Railways here are very similar to those which are being experienced in other countries, especially in those countries which suffered from the war where travelling conditions are very bad indeed. Even in regard to the railways in the United Kingdom, conditions are not at all yet up to the pre-war standard and only yesterday I received a copy of a newspaper from Home with an advertisement by the "Big Four" railways pointing out to the public that to restore conditions to the pre-war level will take time but I do think that from the very near future onwards you will see a steadily improving position in all classes. But I cannot promise you that we shall get back to anything like pre-war standard for some time to come, because, as I said before, it is bound to take time.

Sjt. B. S. Hiray: *May I know if some trains are prohibited for the travel c military personnel?*

Mr. Deputy President: *No questions now. This is not question time* The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was adopted.

DEMAND NO. 11. NEW CONSTRUCTION

The Honourable Sir Edward Benthall: Sir, I move:

"That a sum not exceeding Rs. 2,00,00,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March 1947, in respect of 'New Construction'."

Mr. Deputy President: Motion moved:

"That a sum not exceeding Rs. 2,00,00,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'New Construction'"

Want of Policy in New Construction

Sri A. Ramakara Menon (West Coast and Nilgiris: Non-Muhammadan Rural): Sir, I move:

"That the demand under the head 'New Construction' be reduced by Rs 100."

It is well known that generally railways are constructed after a good deal of agitation on the part of the public and after elaborate inquiries conducted by the Government into the question of public utility, industrial and agricultural possibilities and the traffic and financial prospects. During the war several lines were dismantled for military requirements. Therefore, but for the war these lines would have continued even now. Under the circumstances, what we would have expected is that, as soon as the war was over, those lines which were lines of public utility would have been restored before any new lines were taken up for consideration. Now, what do we find? We find from the proceedings of the meetings of the Standing Finance Committee for Railways (page 159) that the Government have sanctioned traffic and engineering survey for 56 new lines. We are told on page 160 that the restoration of only two old lines was decided upon for 1946-47. A question was recently put to the Honourable the Railway Member about the Shoranur-Nilambur Railway in the Malabar district. That line was constructed about 25 years ago That line is only about 30 miles in length. The answer given by the Railway Member was that it had been decided not to restore the line. I hope that that decision is only a temporary one and that it is likely to be changed in the light of the facts that would be brought before the Railway member and this assembly

Now, it will be interesting to know how many crores or lakhs of rupees have been spent on this line. That line was built after a great deal of consideration in a rugged country on account of the growth of industrial and commercial projects and also from a strategic point of view. The land acquisition must have cost a good deal. Now, there are railway buildings, railway bridges and several other constructions. They are there even now. Only the rails have to be put and the telegraph wires to be installed But the Government say that they have decided not to restore the line It is impossible to understand this attitude. How much money has been wasted on that line? Are those lands to be sold by public auction? It will be a huge waste of public money if the line is not restored It was after a great deal of investigation that this line was built. How is it that after 25 years they thought that they had committed a mistake? What guarantee is there that if that line is not restored now, they will not be committing another mistake? Once these railway lines are built, they create an economic change in the area. Formerly people used to travel in those places by means of bullock carts and other kinds of conveyance. Due to the construction of this line, all those things are gone. People began to depend upon these railways for travel. Now, after 25 years this line is abolished and people find it very difficult to travel because the outlook of the people has changed and there are no facilities for travel. I might bring to the notice of the Railway Member that it was from a strategic point of view also that that

railway was built. Both the Hindus and the Muhammadans of that locality are uneducated and some of them are of a turbulent nature. It was on account of that also that the Government thought of constructing this line. It had a great civilising influence upon the people of that locality. Apart from that, I might say that this line will prove a great blessing and had proved a great blessing to the people. Shoranur is at one end and Nilambur is at the other end. Nilambur plays a great part in trade and is a centre of great commercial and industrial possibilities and importance. Paper mills are being contemplated to be erected there. It is very close to Gudalur in the Nilgiri district. It is a place noted for timber and the forest there is noted for its teak, bamboo and other forest produce. Pykara scheme is about to be introduced also in the locality. I mention all these things with regard to this line only as an illustration. I am not pleading for any special line. I am only saying from the general point of view what a huge waste of money there will be if such lines are not restored and new lines are built instead. If this line is restored, it will connect Nilambur with the Cochin harbour also. It will be of great economic and trade value. Is it not easier, is it not more profitable, is it not more important to restore these old lines before the Government venture into "fresh fields and pastures new"? A word with respect to new constructions also. Preference ought to be given to those lines that had already been investigated and that had already been surveyed before any new line is contemplated. The necessity of connecting Mangalore with Bombay either directly or by connecting it with the nearest railway station in the Mysore State leading to Bombay will suggest itself to anybody who looks at a Railway map of India. People on the West coast have to come to the East coast to travel to the West coast north of Mangalore. A connection with Mysore will entail only a distance of about 100 miles. It will be giving an opening for the Mysore State also to the sea. There were schemes, if I am correctly informed, with respect to these lines but they have all been scrapped without any reason. I understand that there was a scheme to take up the line from Mangalore to Udipi also. I do not know why it was given up. Udipi is an important place and I do not know why the West coast is neglected like this. On the whole, I might say that the Government is not doing the right thing in not restoring the old lines or in constructing the new lines without taking wider considerations into their notice. The restoration of the old lines ought to be pursued first before thinking of constructing the 56 new lines that are being surveyed at present.

Sir, I move.

Mr. Deputy President: Cut mot on moved.

"That the demand under the head 'New Construction' be reduced by Rs. 100."

Sreejut Rohini Kumar Choudhuri (Assam Valley Non-Muhammadan): Sir, the other day when I was speaking on the Railway Budget, I drew the attention of the Honourable Member in charge to certain special conditions. Possibly I was far too realistic in my description of the inconvenience of third class passengers that it must have induced the Honourable the Railway Member not to touch on those grievances at all in his reply. Today I am going to mention some of the grievances which relate to this particular cut motion. As the time at my disposal is short, I will give mere headlines of what I want to say. Later on if I find time, I will try to dilate on those points.

The Honourable the Railway Member is perfectly acquainted with the facts relating to the subjects on which I am going to touch and he will have no difficulty in replying to them, if he is inclined to do so. The first point is the extension of the B. & A. Railway line from Rangapura north to Tezpur. Secondly, the diversion of the B. & A. Railway line from Bonaigaon to Pandu, *via* Goalpara. Thirdly, the construction of a bridge from the river Brahmaputra either at the point known as Jugigopa or Amingaon to Pandu. Fourthly, the extension of the railway line from Mymensingh to Pandu on the south bank of the river Brahmaputra. This line was surveyed long ago. Fifthly, the restoration of the line Shaistaganj to Habiganj and also the line from Sibsagar to Khwang.

[Sreejut Rohini Kumar Chaudhuri]

There are two other minor points. The stoppage of the passenger train at Kamakshya station for the benefit of the pilgrims who come from all parts of India and the stoppage of the mail train at Nalbari station and to this attention was drawn not only in my budget speech but also by my predecessor representing Assam on the floor of this House. That is all I have got to say and I do not wish to take up more time of the House.

Mr. Ali Asghar Khan (Assam: Muhammadan): Sir, I support this Motion. I should like to say that it will be sheer injustice on the part of the Honourable the Railway Member to construct new lines before taking up the dismantled lines which were removed solely during the war. Sir, where new lines are to be constructed, the people of that locality are not used to the railways. If any new project is taken up and the old lines are not restored in the first instance, then the people of the locality from which the lines were dismantled will be put to a lot of discomfort and inconvenience. Besides, trade also will suffer. As it is people of that locality are passing through great difficulties. So long, they had to bear it because of war and the needs of war were much greater than the needs of the people. As soon as the war is over, it is only fair and just that the lines should be restored first. In those places, the people were used to travelling in railways, trade also was flourishing because of the railway line. Now suddenly if communication is cut off in those parts, it will be a great economic loss to the people of the locality. It is true that railway lines should be increased for improvement of the country. It will be conceded that it will increase railway income. But you should not do it at the expense of some other locality where it already existed. I submit you should construct both old and new lines. If it is not possible at the moment to construct both at the same time than the old lines should be restored first before you think of constructing new lines. Reconstruction of old lines will be much cheaper, as the railroad, etc., is already laid out, only materials are required to be taken back from the place to which they have been taken and only fitting is required, whereas the construction of new lines will cost much more in the shape of surveying the place and so on.

Here I want to mention one point which has already been mentioned by my Honourable friend Sreejut Rohini Kumar Chaudhury and that is connecting Shaistaganj and Habiganj, especially because Habiganj is the subdivisional headquarters. Before the war there was a line connecting the two. People had to go there to transact their business connected with courts. I hope the Honourable Member will see that this line is restored to them at an early date for the sake of their travel convenience as well as for their trade facilities. The report I have got is that the material are not used and it is lying somewhere in Shaistaganj station. If it is a fact it will be very easy to restore this line. I will ask Government to reconstruct this line along with the other lines which were dismantled during the war, and I hope the Honourable Member will see to this and take action as early as possible with a sense of justice. I appeal to the House to support this.

Mr. Tamizuddin Khan: Sir, I have full sympathy with the object of this motion, namely, that the old lines which have been dismantled or abandoned should be taken up as early as possible But it is difficult to support the view that no new surveys even should be taken up before all the old lines are restored. That is a proposition which was made by the Honourable Mover and I cannot support that. The country is yet undeveloped in many places so far as railways are concerned. Take England, which in size is one-tenth of India; but we are ten times behind the lineage of England. So I do not agree with the view of the Honourable the War Transport Member expressed in this House the other day that so far as new construction is concerned they will not enter upon any large programme. I think there is scope and demand for opening, many more new lines. However, I will not deal with that. I cannot support the view that even surveys of new lines should not be taken up before the old

lines are restored. In Bengal, for example, the famine has shown the necessity of having new lines in many places; and unless these lines are taken up I think it will retard the development of the country. As the time is short I will not say any thing more. I only give a qualified support to the motion.

Sri M. Ananthasayanam Ayyangar: Sir, may I ask a question? Out of four thousand miles of rail which were dismantled during the war, I want to know how many have been restored, what is the programme for restoration, what is the programme later on and what will be finally abandoned.

Pundit Thakur Das Bhargava: Sir, I beg to press the claims of Panipat-Gohana-Rohtak line which was dismantled during the war for its being re-opened.

The Honourable Sir Edward Benthall: Sir, I will deal rapidly with the points raised and I will deal with them in order, first of all with the particular railways mentioned With regard to the Shoranur-Nilambur line, this was built as a strategic line originally, for causes arising out of the Moplah rebellion. It is now no longer required as a strategic line and therefore its restoration is to be considered on purely commercial grounds. It has always been an uneconomic line and, as far as we can see, always will be The question, therefore, before us is whether we should restore it as a convenience to the local people, with a perpetual loss to the rest of the country, or whether we should ask for a guarantee from the people who are going to benefit, or alternatively,—a course that we are now considering,—whether we should adopt an alternative alignment which looks like being more promising and more profitable, or lastly, whether we should not use the alignment of the railway and the bridges which exist for the purpose of building a road, which will be much cheaper, and use buses and lorries which are likely to take all the traffic offering. That is the problem that we are faced with in one way or another all over the country; and what we are doing is to consult the provincial Governments. We feel that the provincial Government—in this case the Government of Madras—are the best people to judge whether the old alignment is desirable or a new alignment or a road or what; and throughout the country we are now being largely guided by the views of the provincial Governments, because by that means we can also co-ordinate our railway construction and restoration with the road-building programme. What applies therefore to the Shoranur-Nilambur line applies right throughout the country.

With regard to my Honourable friends from Assam the first speaker Mr. Choudhuri seemed to me to be pressing simultaneously for the restoration of one or two lines and the building of several others That seems to go against the Resolution He wants them done simultaneously, whereas the Mover wanted restoration of the old lines, whether economic or uneconomic, to come first. And I respectfully suggest that Mr. Choudhuri and Mr. Tamizuddin are correct and that the thing to do is to look at it as a whole and not from the point of view of the particular local line concerned. The total mileage of branch lines which were lifted and which the provincial Governments want to restore, is 400 or thereabouts, and these are being taken in hand in accordance with the views of the provincial Governments. As regards the Habiganj-Shaistaganj line which was referred to by two Honourable Members I find that it is proposed to be restored and restored in priority The provincial Government have specially asked that that should be placed high on the programme and we are proposing to meet their wishes and get on with it; surveys for that purpose are, I believe, in hand at the present time On the B. & A. Railway there are two other projects,—the Moranhat-Khowanj and Amnura-Chapai-Nawabganj which it is also proposed to restore, the latter one also in priority. These are cases of restoration that were asked for; the others mentioned are cases of new construction.

Shri Sri Prakasa: What about the Jaunpur-Sultanpur-Lucknow and Chandpur-Siau-Gajraula lines?

The Honourable Sir Edward Benthall: I have not got information about all of them. But I have a list covering what we are doing and I shall be pleased to show it to any one who wants to see it.

Sri M. Ananthasayanam Ayyangar: May I know the total milage which it is contemplated to restore?

The Honourable Sir Edward Benthall: About four hundred miles.

Sri M. Ananthasayanam Ayyangar: Out of four thousand? Kindly see page 7 of the Chief Commissioner's speech.

The Honourable Sir Edward Benthall: Yes, four thousand miles were lifted and sent overseas or used in India, but they were not all branch lines by any means.

Sri M. Ananthasayanam Ayyangar: How many were branch lines?

The Honourable Sir Edward Benthall: It is difficult to say without notice. A good deal of it was sidings, etc.. I have a list here; quite a good proportion of it is intended to be restored.

Sri M. Ananthasayanam Ayyangar: What percentage?

The Honourable Sir Edward Benthall: It is difficult to give it at short notice. But I shall be happy to produce it.

I said in 1943 when we were discussing the Railway Budget that each of these projects for restoration will be considered on its merits at the time of restoration, just as the question of which lines should be picked up was considered on its merits when the need arose to pick them up In the main it was the unremunerative lines which were lifted and of course they are likely still to be unremunerative The question before us is whether we should restore unremunerative lines immediately for the benefit of the local people rather than build lines which we believe to be very urgently required by the public as a whole. It seems to me that there is no absolute principle in the matter whether you should restore an unremunerative old line or build what you believe to be a remunerative new line, and I see no reason at all why an unremunerative old line should have priority over an urgently needed new line If for instance you are wishing to open up a coal field or a coal area where a line is most urgently required having regard to the fact that the country is short of coal, surely that is more urgent than restoring a line which must be a perpetual burden on the country to an area which could be equally well served by road with lorries and buses

5 P.M.

Shri Sri Prakasa: Have you dispensed with only unremunerative lines?

The Honourable Sir Edward Benthall: The only remunerative one which was picked up was the Cawnpore-Khairada line which it is proposed to restore for two reasons: first it is probably remunerative, and secondly it is a valuable alternative line to Cawnpore. But, Sir, it seems to me that if you have got, for instance, a new coal field, or if you are asked by a Provincial Government, as we have been in the Punjab, to build a line to a new dam site, then there seems to be a much greater urgency and it is a much better proposition than restoring an old unremunerative branch line.

Shri Sri Prakasa: But you must be very sure.

The Honourable Sir Edward Benthall: I don't think that there can be much doubt about that when you have perhaps 15 or 16 years experience of paying out money on that branch line.

On the question of the merits of the motion, I cannot therefore agree with the impropriety of opening up new lines before old lines are restored for the reason that I have given. As regards want of policy in new construction, I

cannot agree that there is a want of policy. Perhaps for the first time in the history of the Railways we have a definite policy. It is to discuss the new lines with the Provincial Governments and settle the alignments having regard to the views of the Provincial Governments and, in particular, to their views regarding the road development plan; and, secondly, if you will look at our map of projected developments, you will see that it covers all the blank places on the map, except the Bikaner desert, with a view to bringing all villages within 30 miles of railways. When our plan is completed, there will be a few areas in the middle not covered by the network, but, generally speaking, the plan which we have in mind will achieve that result. That is a definite plan and one concerning which we have consulted with the Provincial Governments, and therefore, Sir, I must strongly oppose the motion.

Mr. Deputy President: The House is adjourned till Eleven O'clock tomorrow morning.

The Assembly then adjourned till Eleven of the Clock, on Tuesday the 26th February 1946.

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LEGISLATIVE ASSEMBLY DEBATES

TUESDAY, 26th FEBRUARY, 1946

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LEGISLATIVE ASSEMBLY

Tuesday, 26th February, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr President (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS†

WRITTEN ANSWERS

RENEWAL OF FIRE-ARMS LICENCES WITHDRAWN DURING AUGUST DISTURBANCES

502. *Prof. N. G. Ranga: (a) Will the Honourable the Home Member be pleased to state how many licences for fire-arms of a large number of *bona fide* citizens were cancelled during the August disturbances?

(b) Was it done on the orders of the Government of India?

(c) In how many cases were such cancellations made in different Provinces?

(d) And to how many of such persons were the gun licences granted again after that emergency was over?

(e) Is it the policy of Government not to renew gun licences which were withdrawn during the August disturbances?

The Honourable Sir John Thorne: (a), (c) and (d). I have no information on these points and the collection of the details asked for would involve an amount of labour which would be disproportionate to the results. I place in the library, however, such figures as I have *viz.*, particulars of the firearms in the possession of the public in 1941, 1942 and 1943

(b) No

(e) No

†The question hour for the day having been dispensed with, the answers to the questions were laid on the table of the House—*Ed. of D*

Statement showing the number of fire arms in the possession of the public in 1941, 1942 and 1943

Provinces	Year	Rifles	Variation	Revolvers and Pistols	Variation	Breech Loading Weapons	Variation	Muzzle loading Weapons	Variation
Madras	1941	2616		3893		23506		30930	
	1942	2532	- 84	3746	- 147	22356	- 1210	30870	- 60
	1943	2456	- 76	3445	301	20505	- 1851	27814	- 3056
Bombay	1941	5820		3745		20638		17075	...
	1942	5664	- 156	3731	14	20013	- 625	16230	- 845
	1943	5743	- 79	3734	3	19894	- 119	15845	- 385
Bengal	1941	3696		3853	...	47164	...	11579	
	1942	3623	- 73	3836	- 17	47069	- 95	11047	- 532
	1943	3626	- 3	3716	- 120	46055	- 1014	10706	- 341
United Provinces	1941	9802		5454	...	45969		24290	...
	1942	9759	- 43	5415	- 39	46788	+ 819	23186	- 1104
	1943	9634	125	5305	- 110	47029	+ 241	22061	- 1125
Punjab	1941	4318		5620		34895		7573	...
	1942	4187	- 131	5211	- 409	33061	- 1834	8600	+ 1027
	1943	3916	- 271	5157	- 54	33800	+ 739	8801	+ 201
Bihar	1941	2164		1018		16496	...	3329	...
	1942	2206	42	1010	- 8	16663	+ 167	3221	- 108
	1943	2173	33	1061	+ 51	15898	- 765	3156	- 65

C. P. and Berar	1941	4209	.	918	...	12994	...	27782	...
	1942	4047	−212	884	−34	12716	−278	27727	−55
	1943	4095	48	877	−7	13496	+780	26412	−1315
Assam	1941	1166	.	837		9912	..	15312	...
	1942	1197	+31	860	+23	9994	82	15241	−71
	1943	1198	−1	889	+29	10047	+53	15222	−19
N. W. F. P.	1941	4821	.	6004	...	32920		6371	...
	1942	4754	−67	5974	−31	33382	+462	6414	+43
	1943	4761	7	6009	+35	33920	+538	6470	+56
Orissa	1941	563	.	137	..	3023	..	8293	...
	1942	577	+14	140	+3	2974	−49	9467	+1174
	1943	551	26	136	−4	2901	−73	12182	+2715
Sind	1941	1686		1668	.	17088	.	1896	..
	1942	1743	+57	1827	+159	17092	+4	1896	...
	1943	1676	−67	1722	−105	16388	−704	1901	+5
Delhi	1941			.		...	..	.	...
	1942	740		547		2659	...	109	...
	1943	770	−30	621	−74	2812	−153	107	−2
Ajmer Merwara	1941	667	.	167		839		5151	...
	1942	664	−3	164	−3	851	+12	5152	+1
	1943	706	−42	185	+21	1036	+184	4456	−696
Coorg	1941	297	.	229	..	3363		9448	...
	1942	314	+17	229	...	3422	+69	9532	+84
	1943	321	+7	234	+5	3458	+36	9549	+17

MISSIONS SENT OUT BY GOVERNMENT OF INDIA

503. *Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state how many Missions of the Government of India officials or persons nominated or delegated by the Government of India have gone out of India during the years 1942-43, 1943-44, 1944-45 and 1945-46?

(b) What was the object of sending out these Missions?

(c) What was the cost incurred by Government in connection with these Missions?

(d) Have any of these Missions submitted their report to Government? If so, do Government propose to circulate copies of such reports to the Members of the Assembly?

(e) What was in particular, the object of sending Sir Jeremy Raisman during his tenure of office, and what was the report which he submitted to the Government of India after his return?

Mr. B. C. A. Cook: (a), (b) and (c). A statement covering Central Government servants other than those employed by Railways is laid on the table. Information in respect of the Railway Department is being collected and will be laid on the table in due course.

(d) In the majority of cases reports were submitted, but these were primarily for departmental use only. Copies of such of the reports, as can be made available will be placed in the library of the House.

(e) Sir Jeremy Raisman went first in 1942-43 to discuss the allocation of war costs between India and His Majesty's Government and again in 1944-45 to lead the delegation to the Bretton Woods Conference. The main points resulting from the former visit were given in the succeeding Budget speech, while a copy of the report submitted by the delegation on the latter occasion has already been supplied to the House.

STATEMENT I (1942-43)

S. No.	Deptt. concerned	(a) Particulars of Missions, Delegations, etc	(b) Object	(c) Cost incurred
1	Information and Broadcasting	Sir Frederick Puckle, Secy., Information Deptt (U.K. & U. S. A.)	To consult the India Office on Publicity matters in U. K. and to inspect the work of the Indian Information Services in U. S. A. with a view to acquiring first-hand knowledge of publicity matters there.	Rs. 22,000 (Approx.)
2	Education	Visit of the Educational Commissioner with the G.I to China	To explore practical methods whereby educational relations between China & India could be established.	Rs. 2,220 (representing t. a. & d. a. of E C.)
3	Posts & Air	Sir G V Bewoor (Australia)	To attend the Commonwealth Communications Conference (Australia).	Not readily available.
4	Finance	Sir Jeremy Raisman (U K)	In connection with discussions with H. M G. regarding allocation of war expenditure between India and the U. K.	Rs. 6,944 (For passages by air to and from India)
5	Agriculture	Delegation of Indian Entomologists to Persia, led by Doctor Taskher Ahmad	To collaborate with the Persian authorities in anti-locust measures	Rs. 15,000
6	Do.	Deputation of Doctor H S Pruthi, Imperial Entomologist to Teheran.	To attend the International Locust Conference held in Teheran in October 1942	Rs. 1,689/8
7	Do.	Delegation of Indian Entomologist to Arabia and Persia led by Mr M A Jaujua	To collaborate with the British Entomologists, Mrs Maxwell, Darling and Lean in anti-locust campaign in the Middle East	Not readily available.
8	Do	Deputation of Mr K D. Baweja, Supdt. Locust Sub-station Karachi to Persia	To represent the Government of India at the International Locust Congress, Teheran	Rs. 4,124

STATEMENT II. (1943-44)

S. No.	Deptt. concerned	(a) Particulars of Missions, Delegations, etc.	(b) Object	(c) Cost incurred
1	Information and Broadcasting	Mr. G. S. Bozman, Secretary, I. & B. Department. (U. K. & U. S. A.)	Same as in the case of Sir F Puckle *vide* Statement I.	Rs. 17,300
2	Information and Broadcasting	Messrs. Sir Srinivasa Sarma, H. G. Misra, R. R. Bhola and M. Giasuddin. (Non-Officials) (U. K. & U. S. A.)	To publicise India and India's war effort.	Rs. 59,000
3	Posts and Air	3 Delegations sent to U. K.	To attend Empire and International conferences relating to civil aviation, radio aids for civil aviation and communications.	Rs. 23,000 (for 2 conferences only).
4	Agriculture	Indian Delegation to Hot Springs Conference.	To attend the United Nations Conference on Food and Agriculture, held at Hot Springs, Virginia, U. S. A., 1943.	Not readily available.
5	Do.	Deputation of Dr. Padwick to China.	To strengthen cultural and other contacts between India and China.	Cost met by Chinese Government.
6	Do.	Deputation of Dr. H. S. Pruthi to Cairo.	To represent the Government of India at the regional Anti-Locust Conference, convened by the Middle East Supply Centre to Discuss Plans for anti-Locust Compaign	Rs. 2,285/11/-
7	Do.	Delegation of Indian Entomologists to Arabia led by Mr. Ghulam Sabir, Locust Technical Officer.	To undertake Locust control measures in Oman (Arabia) for a period of about 6 months under the direction of the Chief Locust Officer, Middle East.	Rs. 11,500
8	Do.	Deputation of Mr. K. D. Beweja, Supdt., Locust Substation, Karachi, to Teheran.	To represent the Government of India at the Teheran International Locust Committee.	Rs. 3,560

9	Do.	Delegation of Indian Entomologist to Persian Mekran, led by Mr. K. D. Beweja, Deputy Locust Entomologist, Karachi.	To collaborate with the Persian Govt. in anti-Locust measures in Persian Mekran.	Not readily available.
10	Do.	Deputation of Mr. C. H Parr, Imperial Agriculturist to Cairo.	To represent the Government of India at the Middle East Agricultural Development Conference at Cairo	Rs. 1,373
11	Commerce	Messrs. Ram Chandra, P. C. Chaudhri, and Kasturbhai Lalbhai. (To Cairo)	To discuss the question of co-ordinated purchase of Egyptian cotton.	Rs. 11,800

STATEMENT III (1944-45)

1	Industries & Civil Supplies and Supply.	The Hydari Mission	To devise methods of relieving the strain of war demands on the Indian economy. This was fully explained in Sir Akbar Hydari's statement to the Press on the 18-1-45.	Rs. 26,700, approximately.
2	Food	Mr. W. H. Kirby, Rationing Adviser to the Government of India (United Kingdom).	To act temporarily as Liaison Officer on behalf of the Food Department of Government of India with the India Office and other Ministries, particularly the Ministry of Food, London.	Rs. 11,763 (excluding cost of passage both ways).
3	Do.	Mr. Blois Johnson (Director of Purchase) (U.K.).	To standardize processes and specifications for dehydration in consultation with Ministry of Food and other allied matters.	Rs. 13,034
4	Do.	Dr. Guha and Mr. Khanna, (U.K.).	To investigate modern methods of food technology in order to improve the efficiency of food installations working in this country.	Rs. 35,246
5	Finance	Sir Jeremy Raisman (U.S.A.)	To attend the Bretton Woods Conference in the U.S.A.	Rs. 8,348
6	Information & Broadcasting	Lt. Col. G. E. Wheeler, D.P.D. (Middle East and United Kingdom).	To discuss with the authorities on the spot the question of co-ordinating the publicity and distribution arrangements in the Middle East and in United Kingdom.	Rs. 14,300

S. No.	Department concerned	(a) Particulars of Missions, Delegations, etc.	(b) Object	(c) Cost incurred
7	Information and Broadcasting .	Mr. C.W. Goyder, Chief Engineer, All India Radio (United Kingdom).	To study the latest technical developments to help Government to prepare plans for the development of broadcasting in India.	Rs. 16,000
8	Do.	Mr. S. Gopalan, Station Director, All India Radio (United Kingdom).	To study administrative and programme organisation in the B.B.C. and such technical matters as may fall within the purview of such study.	Rs. 12,000
9	Do.	Mr. A.S. Bokhari, D.G., All India Radio (United Kingdom).	To attend the Commonwealth Broadcasting Conference and to study and discuss with the B.B.C. authorities administrative and other matters connected with broadcasting.	Rs. 12,700
10	Education .	A group of scientists sent to United Kingdom & U.S.A.	To investigate the question of securing places for Indian Scientists in the U.K. and USA, to maintain liaison with the scientists in U.K., to visit the British Commonwealth Central Scientific Office, Washington and to determine the need for ameliorating the condition of Indian Scientific workers *vis a vis* other countries.	Rs. 51,460 approximately
11	Central Board of Revenue (Finance).	Mr. Greenfield, Member, Central Board of Revenue (United Kingdom).	To study the excise administration in the Board of Customs and Excise, U.K. and obtain expert officers from the Board for organising the Central Excise system in India.	Rs. 12,000, (including his pay while in United Kingdom.)
12	Do.	Sir John Sheehy, Member, C.B.R. and Mr. J.B. Shearer C.I.T., Bombay.	To study income-tax administration in the U.K., discuss problems connected with the winding up of E.P.T. and select an expert officer from the Board of Inland Revenue for employment in India in connection with E.P.T.	Rs. 16,000

13	Posts and Air	2 Delegations sent by the Posts and Air Department	To attend (i) Commonwealth Civil Aviation Conference (Montreal) and (ii) International Civil Aviation Conference, Chicago (USA)	Rs. 40,000
14	Health	Lt. G. J. B Hance, D.G., I.M.S., and Dr. C.G. Pandit (U.K. & U.S.A.).	To investigate and report on modern trends in medical education and research in those countries.	Rs. 40,000, approximately.
15	Agriculture	The Indian Agricultural Mission to China.	To study cropping system and land utilisation in China and to collect material for plant breeding, specially in respect of disease-resisting varieties.	Rs. 17,291
16	Do.	Deputation of Sardar Bahadur Sir Datar Singh to Australia.	To investigate the agricultural, Livestock, Dairying, Co-operative and marketting development and organisation in Australia and New Zealand.	Not readily available.
17	Do	Deputation of Mr. K.D. Baweja, Deputy Locust Entomologist Karachi, to Teheran	To represent the Government of India at the Teheran International Locust Control Committee	Not readily available.
18	Commerce	Sir Theodore Gregory Economic Adviser to the Government of India	To attend the International Monetary Conference in U.S.A.	Rs. 11,000

STATEMENT IV (1945-46)

1	Industries and Civil Supplies and Supply.	Pitkeathly Mission to U.K. & USA consisting of one Chairman and two Members	To investigate processes and plant employed in the manufacture of ammonium sulphate, both in the U.K. and USA. with the object of securing for India the most up-to-date plant for the production of this type of fertiliser from indigenous materials.	Rs. 1,07,400
2	Home	Sir Francis Mudie (Home Member) and Mr. Conran Smith (To U. K. in April, 1945)	Were summoned by the Secretary of State for consultation in connection with the recruitment to vacancies in the I.C.S. and I.P. reserved for men with war service.	The extra expr. was small as no offg arrangements were made. Travelled by R.A.F. planes for which no charges were paid.

S. No.	Department concerned	(a) Particulars of Missions, Delegations, etc.	(b) Object	(c) Cost incurred
3	Home	Mr Williams, Joint Secy., Home Deptt. to U K, in June 1945.	To make preliminary arrangements for the recruitment of 'war service' candidate to the I.C.S. and I.P. etc.	Rs. 1,952 (extra expenditure).
4	Food	Hon. H. Butler (U.K. & USA)	To study processes of rice conservation.	Rs. 1,340 (excluding cost of passages.
5	Do	Robert Hutchings	To press India's case for imports.	Still on deputation to U.K.
6	Commonwealth Relations	Mission consisting of Hon Pt. Kunzru and Mr. P. Kodanda Rao (Malaya)	To study the conditions of Indians residing in Malaya.	Estimated between Rs 5,000 and 10,000.
7	Do	Mr. A. V. Pai, Joint Secy.	To assist Sir R. Mudaliar in the U.N.O. Conference to place before the India and Colonial offices the case of Indians in Ceylon in connection with the constitutional reforms recommended by the Soulbury Commission	Rs 5,000 (Approx.)
8	Planning and development	A party of 5 experts non-official technicians were attached to the appriate teams of British and American experts visiting Germany.	To investigate specified industrial and technical processes likely to be advantageous to industrial production in India.	Govt will meet cost of passages to and fro plus actual living expenses.
9	Do	A scientist from the Council of scientific and Industrial Research was attached to the British Mission which accompanied the U.S. Strategic Bombing Survey to Japan.	To study and investigate the physical effects of atomic bombing	Do. Do.

10	Planning and Devlt.	Visit of Sir Ardeshir Dalal and Mr. H.V.R. Iengar to U.K. & U.S.A.	(a) To discuss with H.M.G. and British Industrial interests the question of Commercial Safeguards; (b) To examine the question of availability, the price level and priorities of capital Equipment for India. (c) To examine the arrangements for the placing of Indian students sent for technical education, (d) To examine the arrangements for the placing of Indian Technicians in British & American Factories, and (e) To examine the possibility of obtaining on contract, Experts required by the Central and Provincial Governments in India.	Not readily available.
11	External Affairs	Four in number during 1945-46	(i) To attend the United Nations Conference in San Francisco. On its way to S.F., attended Commonwealth Conference in London. (ii) Furtherance of Indo Iranian cultural relations. (iii) To attend the preparatory Commission and First General Assembly of the United Nations in London. (iv) To sign the agreement ending the State of war with Siam on behalf of India and to enquire into the conditions of Indians in Siam and French Indo-China.	Not readily available
12	Posts and Air	[illegible] sent outside India	To attend Empire & International Conferences relating to Civil Aviation, Radio aids for civil aviation and Telecommunications	Not readily available.
13	Education	Mr. W.W. Wood, Principal, Delhi Polytechnic deputed to U.K.	To make arrangements for placing technical students from India in universities & Senior Technical Institutions in U.K. in their next session and in connection with other matters relating to certificates and diplomas recently instituted in India and the future supply of equipment.	Rs. 8,900. (Approx.)
14	Do	An Educational delegation to the U.K.	To take part in the deliberations of the United Nations Conference which was summoned to consider the question of setting up an Educational and Cultural Organisation of the United Nations.	Rs. 24,000 (roughly).

S. No.	Department concerned	(a) Particulars of Missions. Delegation etc.	(b) Object	(c) Cost incurred
15	I & B.	Mr. F. Watson. D. R. & R. D. (U. K.)	To study the planning activities of the Ministry of Information.	Rs. 7,000 (roughly).
16	Do.	Mr. B. V. Baliga, A.C.E., A.I.R. (U. K.)	To study at the BBC the latest technical developments.	Rs. 10,000
17	Do.	Mr. Chaman Lal, Research Engineer, A.I.R.	Ditto ditto	Rs. 8,900
18	Do.	Mr. P. N. Thapar, J. S., I. & B. Deptt. (U. K. & U. S. A.)	To discuss production and commercial and non-commercial distribution of Indian shorts with the Ministry of Information and other matters relating to film industry add Radio Broadcast.	Rs. 9.890
19	Do.	Mr. G. S. Bozman Secy. (U. K.)	To examine the charter of the BBC in the light of the possibility of a similar organisation for A.I.R. and to make enquiries into the organisation of cultural literary and other art associations and their relationship with Government.	Not readily available.
20	Labour	One Mission in 1947	To discuss with the Ministry of Supply the question of disposal of large surplus stocks of Mica. The head of the Mission also attended the Conference of the International Labour Organisation at Paris as a delegate of the Government of India.	Rs. 15,000
21	Commerce	Mr. S. R. Zaman, Joint Secretary, Com. Deptt (Copenhagen)	To attend the Preparatory Tripartite Technical Conference of the International Labour Conference as an Adviser to the Government Delegation.	Rs 8,000 (Approx).
22	Do.	Messrs. H. V. R. Iengar, B. K. Nehru and E. Radhone. (To Paris).	To represent India's reparation claims at the Paris Conference.	Not readily available.
23	Agriculture	The Indian Delegation to the Food and Agricultural Organization Conference	To attend the First session of the Food and Agricultural Conference held at Quebec, Canada.	Do.

24	Do.	Deputation of Dr. F. C. Minnett to attend the UNRRA Veterinary Conference at Sydney.	To attend the Conference of Veterinary Representatives of member Governments of the UNRRA held at Sydney, Australia, to consider proposals to set up an International Veterinary Sectt.	Do.
25	Do.	Visit of Mr. D. R. Sethi, Agricultural Production Adviser to the USA, Canada & U. K.	To study best types of farm equipment suitable for Indian conditions, expedite delivery of tractors and other Agricultural machinery ordered by the G/I, investigate possibilities of securing facilities for training of selected Indians as practical Agricultural Engineers, and to visit Tennesse Valley Authority for studying Agricultural Development projects.	Do.
26	Do.	Visit of Sir William Stampe to the U. K. & USA.	To examine the various types of machine operated boaring equipment at work in the U. K./USA in different types of soil and strata conditions, with a view to their adaptability to Indian conditions and also to study ground water problems generally.	Do.
27	Do.	Visit of Dr. Bani Prashad Fisheries Development Adviser, to USA & U. K.	To study the latest methods employed in the exploitation of fishery resources in the USA, U. K., and Denmark, with a view to the adoption of similar methods in India and to explore the possibility of the early procurement of suitable machinery, equipment and apparatus required for the proposed Central Fisheries Research Instt.	Do.
28	Do.	Visit of Sardar Bahadur Sardar Lal Singh, Fruit Development Adviser to Australia.	To have first hand knowledge of the latest researches and designs in Horticultural and Fruit Preservation Institutes, to look out for machinery suitable for Indian conditions which could be safely recommended to Indian Fruit preservers.	Do.
29	Do.	Delegation of Indian Entomologists to Arbia.	To undertake Locust control measures in Oman.	Not yet estimated, as the delegation has not yet returned.

PLANNING ADVISORY COMMITTEE

* **504. *Mr. Manu Subedar:** (a) Will the Honourable Member for Planning and Development please state how many meetings of the Planning Advisory Committee of the Assembly were called since that Body was formed?

(b) What papers were placed before them?

(c) What was the agenda?

(d) What were the resolutions if any which were passed by them?

The Honourable Sir Akbar Hydari: (a) Two

(b), (c) and (d). I invite the Honourable Member's attention to the Proceedings of the two meetings, copies of which were sent to all members of the Central Legislature in accordance with rule 8 of the Rules relating to Standing Committees of the Central Legislature Copies are also available in the Library

PROPERTIES REQUISITIONED IN BOMBAY

505. ***Mr. Manu Subedar:** (a) Will the War Secretary please state the total number of properties requisitioned in the Bombay city and its suburbs?

(b) How many have been de-requisitioned?

(c) What was the total amount of rent per month for these properties?

(d) Why are properties still being retained by the Military, and what is the outlay incurred on such properties retained?

(e) What proposals have been received or considered by Government with regard to the temporary buildings put up?

(f) In view of acute shortage, do Government propose to make these buildings over to the Provincial Governments for their retention and use during the period when new buildings could be put up? If not, why not?

Mr. P. Mason: (a) The number of properties requisitioned in Bombay City and its Suburbs on 1st September 1945 was Buildings—412; Lands 159

(b) Number de-requisitioned by 31st December 1945 was Buildings—25 Lands 2

On 31st December a further forty properties were in the process of being de-requisitioned. I hope the process will be one of gradual acceleration

(c) The monthly rental for the properties requisitioned on 1st September 1945 was Buildings—Rs 2,33,936, Lands Rs 2,98,657

(d) The properties retained are I am afraid still essential for the efficient functioning of those elements of the Services (Army, Air Force and Naval) whose presence is necessary in Bombay City and Suburbs The monthly outlay incurred on such properties is Buildings—Rs 2,28 788; Lands—Rs. 2,94,652

(e) No formal proposals have been received by Government with regard to the temporary buildings put up

(f) The Government is prepared to give preference to the claims of Provincial Governments for the retention and use of any temporary buildings which have been erected when they are surplus to the needs of the Services and not required by another Department of the Central Government. Liaison Officers have been appointed by Provincial Governments to work in conjunction with the Inter Services Committee for Lands and Buildings within the different Commands. In addition, in Bombay representatives of the Bombay Government, the Municipal Council and the Chamber of Commerce are members of the Bombay Standing Quartering Board

When properties are declared surplus to the requirements of the Services the Military Lands and Hirings Service who are responsible for the physical disposal also contact all known interested parties

ABSORPTION OF DEMOBBED PERSONNEL

506. *Mr. Manu Subedar: (a) Will the Honourable Member for Planning and Development please state the total number of men, temporary and permanent, who are to be released in 1946 from (i) the War Department, including Army, Navy and Air Force, (ii) Railways and (iii) other Departments of Government?

(b) Is it a fact that some of them have put in exemplary service and are being now released?

(c) What steps are Government taking for getting them re-absorbed in other Departments?

(d) What special works do Government propose to set up for getting these men re-absorbed?

(e) Is it a fact that, simultaneously while Indians from various services are being thrown out of work, Britishers are being recruited for other services?

(f) Have Government considered the desirability of stopping such recruitment and taking Indians by giving them an opportunity to adapt themselves for the work in which fresh recruitment is started?

(g) What is the proportion of posts reserved for ex-service people in the Central Government and various Provincial Governments and what is the machinery devised by Government to make necessary arrangements?

The Honourable Sir Akbar Hydari: The reply will be given by the Honourable the Labour Member.

MRS. VIJAYALAXMI PANDIT'S RETURN TO INDIA

507. ***Prof. N. G. Ranga:** Will the Honourable the Home Member be pleased to state

(a) if there is any truth in the rumour that the Government of India or the Government of Great Britain is putting obstacles in the way of Mrs. Vijayalaxmi Pandit's return to India;

(b) if she has applied for entry permission and other facilities to return to India, if so, when and what reply has been given to her; and

(c) whether Government will give an assurance that she is free to return to India whenever she likes?

The Honourable Sir John Thorne: (a) None whatever.

(b) and (c) Mrs. Pandit has already returned to India.

EFFORTS BY OFFICIALS FOR SUPPORT OF GOVERNMENT-FAVOURED PARTIES IN PROVINCES

508. Mr. Ahmed E. H. Jaffer: Will the Honourable the Home Member be pleased to state if he has received urgent representations in regard to the efforts by Government Officials in Provinces to coerce and corrupt people in the rural areas to secure support for parties favoured by local Governments?

The Honourable Sir John Thorne: The subject matter of this question is primarily the concern of the Provincial Governments and not of the Governor General in Council.

MUSLIMS IN I. N. A.

509. *Mr. Ahmed E. H. Jaffer: Will the War Secretary be pleased to lay a statement on the table of the House for the information of Members showing

(i) the number of Muslims among those who joined the I.N.A.;

(ii) the number of Hindus who joined the I.N.A.;

(iii) the number of Muslims killed and wounded and missing while serving with the I.N.A.; and

(iv) the number of Muslims who died while prisoners of war in the hands of the Japanese?

Mr. P. Mason: The information on this subject is not very accurate because of the lack of records kept by the Japanese; but the approximate figures are as follows:

(i) and (ii) Military members of the I.N.A. about 12,000 Hindus; about 5,000 Muslims; and about 3,000 Sikhs and others.

Civilian members of the I.N.A.—rather more than 20,000 of whom 95 per cent. were Hindus.

(iii) It is not possible to give a figure as the Japanese records of such casualties have not been recovered.

(iv) As announced by H. E. the Viceroy, it is estimated that about 11,000 members of the Indian Army died whilst prisoners of war. It is impossible to estimate how many of these were Muslims, since the Japanese apparently kept no record of such cases. Up to the present only some 1,600 of these casualties have been confirmed officially, of whom approximately 35 per cent. were Muslims.

REDUCTION IN DEFENCE PERSONNEL

510. *Mr. Manu Subedar: (a) Will the War Secretary please state what the highest number of men and personnel was in all the branches of the Indian Defence (Army, Navy and Air Force), including recruits in training, during the last six years?

(b) What is the estimated strength in comparison with the above figure today, and to what total number is it intended to reduce this number?

(c) By what instalments and in what time is it expected to complete this reduction?

(d) Is there any discrimination in effecting such reductions either with regard to communities or with regard to provinces? If not, what is the basic policy of Government in this matter?

(e) Is it a fact that decisions as to the total personnel in all the branches of Defence are taken not in India, but are received from the Imperial Defence Council in London?

(f) Has any report been made by the Cariappa Committee with regard to the size of the Army in future and will a copy of it be circulated to the Members of the Assembly and an official day assigned for its discussion in this House?

Mr. P. Mason: (a) Indian Army 20,53,000 R.I.N.—32,917, R.I.A.F.—29,820.

(b) As regards the first part, I regret that it would not be in the public interest to give the present actual strength but substantial reductions have already taken place. As regards the second part, the strength of the forces which will be required in the post-war period, has not yet been decided.

(c) It is not yet possible to say when demobilization will be completed but it is estimated that by the 1st of April next year the following will have been demobilized: 32,000 British officers; 7,000 Indian officers; 180,000 British other ranks; 1,540,000 V.C.Os., I.O.Rs. and non-combatants.

I would also refer the Honourable Member to my reply to Mr. Ayyangar's question No. 198 on February 12th.

(d) and (e) No, Sir, certainly not.

(f) No, Sir. The Reorganisation Committee, as I have previously explained, was a committee consisting of staff officers appointed by H. E. the Commander-in-Chief in order that they might report to him personally on the problems referred to them. The Report will not be published but decisions which are taken on the recommendations of the Committee will usually be published.

DEMOBILIZATION OF PEASANT SOLDIERS

511. *Mr. Ahmed E. H. Jaffer: Will the War Secretary be pleased to state:

(a) if it is a fact that there are more than 2¼ Million peasant soldiers waiting to be demobilized;

(b) whether they have to be reabsorbed into the Indian villages;

(c) whether they want land urgently;

(d) whether out of the Government planned schemes of irrigation covering some 16 million acres, much of this could be made available for the peasant soldier, and

(e) whether Government are aware that these two and a half million peasant soldiers are now anxiously waiting for Government proposals on this matter"

Mr. P. Mason: (a) No, Sir, there are not 2¼ million men to be demobilised, and many of those who will be demobilised are not peasants. The published figures show that approximately 600,000 men will be demobilised up to 31st May 1946. It is not as yet possible to supply a figure for the whole period of demobilisation.

(b) and (c) According to answers received in response to a questionnaire which was sent to a large cross section of the Army, about 35 per cent. of the men awaiting demobilisation desire to be employed on the land, but it is not known how many of those who want agricultural employment have land of their own to which to return.

(d) Provincial Governments will no doubt consider sympathetically the claims of demobilised personnel to a share in land to be brought under cultivation under new projects. Much of the land under such projects is however already under cultivation

(e) Yes, Sir, there is much interest, but the amount of new land available for cultivation is small A statement on the whole question will shortly be published through service channels.

I. N. A. PERSONNEL DEALT WITH BY COURTS MARTIAL

512. *Shri Sri Prakasa: Will the War Secretary be pleased to state:

(a) the number of I.N.A men who have been brought before the Courts Martial or other courts of law for trial;

(b) the number of those acquitted or sentenced to punishment;

(c) the nature of the punishment inflicted;

(d) the number affected by each type of punishment; and

(e) if any were sentenced to death; if so, how many and the manner and place of execution?

Mr. P. Mason: (a), (b), (c) and (d) I lay two statements on the table.

(e) I have already answered this fully in my reply on the 18th of this month to Professor Ranga's question No. 337.

Statement A—Courts Martials

S. No.	Name	Place and dates of trial	Charges on which convicted	Final result of trial	Defending Officer
1	2	3	4	5	6
1	9940 Hav. Mela Singh, 15 Punjab Regt.	Summary General Court Martial, Delhi. 8th and 12th June 1944.	Desertion	Transportation for life, reduction to the ranks and dismissal.	Major R.C.L. Bright, 19 Hyderabad R. Barrister-at-Law.
2	18662 Sepoy Chatter Singh, 5/8 Punjab Regt.	Summary General Court Martial, Delhi. 14th June 1944.	Waging war against the King	Death by being hanged .	Lt. L.C. Green, SEATIC (Solicitor).
3	9896 Sepoy Nazir Singh, 8 Burma Rifles.	Summary General Court Martial, Delhi. 16th June 1944.	Ditto . .	Ditto . . .	Ditto.
4	10670 Hav. (C. M. H.) Onkar Chand, 2/12 F. F. R.	Summary General Court Martial, Delhi. 20th June 1944.	Ditto . .	Transportation for life .	Capt. H.B.C. Horrall, G.S. Branch, GHQ (I), (Bar.-at-Law).
5	7804 Hav. Hoshiar Singh, 2/17 Dogra Regt.	Ditto . .	Ditto . .	Ditto . . .	Ditto.
6	6775 Hav. Durga Mal, 2/1 Gurkha Rifles.	Summary General Court Martial, Delhi. 5th July 1944.	Ditto . .	Death by being hanged .	Capt. E. W. Seir, RIASC (Solicitor).
7	15217 Sepoy (L/Nk.) Kartar Singh, 1/11 Sikh Regt.	Summary General Court Martial, Nowshera. 17th July 1944.	1. Desertion . . . 2. Waging war against the King.	Transportation for life and dismissal.	Capt. B. W. Fidgeon, 11 Sikh Regt.
8	16183 Sepoy Sajjan Singh, 1/11 Sikh Regt.	Summary General Court Martial, Nowshera. 19th July 1944.	1. Desertion . . . 2. Waging war against the King.	Ditto . .	Ditto.
9	15718 Sepoy Gurdial Singh, 1/11 Sikh Regt.	Ditto . .	1. Desertion . . . 2. Waging war against the King.	Ditto . .	Lt. G. K. Qamtirthakar, 11 Sikh Regtl. Centre.

10	1803 Sepoy Padam Bahadur, Myitkyina Bn., Burma Frontier Force.	Summary General Court Martial, Delhi. 23rd August 1944.	Waging war against the King	Ditto	Lt. L. C. Green, Intell Corps att. B.I.D. (Solicitor).
11	10648 Sepoy (P/L/Nk) Hazara Singh, 5/2 Punjab Regt.	Summary General Court Martial, Delhi. 25th August 1944.	Ditto	Death by being hanged	Lt. S.A. Hosain, RIASC, 'B' M. T. Trg. Group.
12	MT 503961 Fitter (Class II) Sardar Singh, IAOC, att 4/17 Gurkha Rifles.	Summary General Court Martial, Calcutta. 6th October 1944.	Ditto (2 counts)	Ditto	Capt. M. S. Haqqani, IAOC. 220 I.A.O.D., pleader with right of audience in Sessions Court.
13	H 1733 Hav. Clerk (Class I) Lachman Singh, I.A.M.C., att. 4/7 Gurkha Rifles.	Ditto	Concealing the existence of a design to wage war against the King.	R. I. for 7 years and dismissal.	Lt. J. R. Colchester, RAOC Port Ordnance, Calcutta, Bar.-at-Law.
14	8454 Sepoy Fakir Singh, 1/15 Punjab Regt., att. 4/7 Gurkha Rifles.	Summary General Court Martial, Calcutta. 10th October 1944.	Waging war against the King	Transpotation for life and dismissal.	Lt. J. R. Colchester, RAOC Port Ordnance, Calcutta, Bar.-at-Law, B.A. (Cantab.), Law.
15	28896 I. O. Jem. Keshri Chand Sharma, RIASC.	General Court Martial, Delhi. 12 & 13th December 1944.	Ditto	Death by being hanged	Capt. H. B. C. Harrall, Bar.-at-Law.
16	6120 Jem. Dalbahadur Thapa, 2/1st Gurkha Rifles.	General Court Martial, Delhi. 12th February 1945.	Ditto	Ditto	Lt. Idris Ahmad, I.A.O. C., Pleader.
17	3416 Jem. B. C. Gowd, 1st Bn., Mysore Inf.	General Court Martial, Delhi. 16th February 1945.	Ditto	Transportation for life and dismissal.	Capt. B. S. Wadhawan, 39 Ind. Field Censor Unit, who has passed the Prosecuting Inspector's Examination in Higher Criminal Law at the Police Training School, Phillaur.
18	16616 I. O. Jem. Nikka Ram, 5/2 Punjab Regt.	General Court Martial, Delhi. 11th January 1945.	Ditto	Ditto	Lt. G. W. Hill, R.A.P.C., Solicitor of the Supreme Court.

S. No.	Name	Place and dates of trial	Charges on which convicted	Final result of trial	Defending Officer
1	2	3	4	5	6
19	11865 Hav. Shiv Charan Singh, 5/2 Punjab Regt.	Summary General Court Martial, Delhi. 28th April 1945.	Waging war against the King	Transportation for life and dismissal	Capt. J. C. Hay, Royal Sigs., GHQ(I) Sigs., Solicitor.
20	11658 Hav. Chambel Singh, 5/2 Punjab Regt.	Summary General Court Martial, Delhi. 5th May 1945.	Ditto . .	Ditto . .	Capt. M. Y. Chaudri, 8th Punjab Regt., Advocate, S.C. (Legal) Delhi District.
21	10376 L/Nk. Charan Singh, 8 Burma Rifles.	Summary General Court Martial, Multan. 6th July 1943.	1. Desertion . 2. Waging war against the King	Death by being hanged .	Major P.H.M. Galbraith, 1st Burma. Regt.
22	8771 Naik Nagindar Singh, 8th (F. F.) Bn., Burma Rifles.	Summary General Court Martial, Multan. 3rd July 1943.	1. Desertion. . . . 2. Desertion	Ditto .	Ditto.
23	15657 Sepoy (L/Nk) Isher Singh, 1/11 Sikh. Regt.	Summary General Court Martial, Nowshera. 7th September 1944	Desertion	R. I. for 6 years and dismissal.	Major W.B.K. Batty, 11 Sikh Regtl. Centre.
24 (i)	Capt. Shah Nawaz Khan, 1/14 Punjab Regt.	Summary General Court Martial, Delhi. 5th November 1945.	(i) Waging war, abetment, murder. (ii) Waging war. (iii) Waging war.	Cashiered and forfeiture of all pay.	Mr. Bhulabhai Desai and 22 Defence Council.
(ii)	Captain P. K. Sahgal, 2/10 Baluch Regt.				
(iii)	Lt. G. S. Dhillon, 1/14 Punjab Regt.				
25	Abdul Rashid . . .	Summary General Court Martial, Delhi. December 1945.	Waging war, brutality	R. I. for 7 years . . .	Mr. Abdul Aziz Khan.

Statement B—Civil Courts

S. No.	Name	Place of trial	Charges on which convicted	Result of trial and date of pronouncement	Name of judge
1	Sepoy Awadeshwar Rai Pand	Delhi	Section 3 of the Enemy Agents Ordinance, 1943 (i.e., aiding the enemy). Section 121-A, I P C.	Transportation for life. 27th May 1944.	C. M. Ormerod, Esqr., I.C.S., Special Judge under the Enemy Agents Ordinance.
2	Sepoy Kartar Singh	Delhi	Ditto	Transportation for life.—18th December 1944.	Ditto.
3	Sepoy Kanwal Singh	Delhi	Ditto	Ditto	Ditto.

AMENITIES TO I.N.A. MEN IN BAHADURGARH CAMP

513. *Shri Sri Prakasa: Will the War Secretary be pleased to state:

(a) the number of I.N.A. men detained in the Bahadurgarh Camp; and

(b) the amenities in the matter of letters, newspapers and interviews afforded to them; and if their relatives are allowed to meet them and if they can supplement their food?

Mr. P. Mason: (a) All those held in the Bahadurgarh Holding and Enquiry Centre on 14th of this month, 1 230 in number, were members of the German 950 Regiment.

(b) As I have said before, these men are treated as Indian Army personnel under arrest The following are the answers to the specific questions put by the Honourable Member:

Letters.—They may write one letter a fortnight, but there is no limit to the number of letters they may receive

Newspapers.—They get the same newspapers as the Guard battalion.

Interviews—are allowed with relatives in compassionate cases. If anyone is selected for trial he is allowed free access to his counsel and relations

Allowances—In addition to receiving their full rations, V.C.O.s and other ranks are credited with 11 rupees 4 annas and 5 rupees 10 annas respectively per month for expenditure in the Camp Canteen

DISMANTLING OF AERODROMES CONSTRUCTED IN BENARES DISTRICT

514. *Shri Sri Prakasa: Will the War Secretary be pleased to state

(a) the number of aerodromes constructed in the district of Benares during the war; and

(b) if these are being dismantled, if so when the process is likely to end; if not, when, the dismantling is likely to be taken in hand?

Mr. P. Mason: (a) Three

(b) Of the three airfields, two (namely Rajwari and Madho Singh) are surplus to the requirements of the Defence Services and, with the exception of the pucca runways, taxi tracks, and hardstandings, these two airfields will be disposed of It is too early to say how long this process will take The third airfield (Babatpur) is provisionally required for the development of Civil Aviation.

AGRICULTURAL LAND REQUISITIONED DURING WAR

515. *Prof. N. G. Ranga: Will the War Secretary be pleased to state:

(a) how much of agricultural land was requisitioned during the war;
(b) whether the compensation due was paid to the peasants concerned;
(c) how much of that land has been returned to the peasants; and
(d) when the rest of it will be returned?

Mr. P. Mason: (a) and (b). It is regretted that it is not possible to give the information required as the requisitioning authorities under the Defence of India Act and Rules are the District Officers of Provincial Governments who are responsible for the maintenance of proper records and for payment of compensation to the peasants and land owners

Large areas of land including agricultural land were requisitioned but records are not available which would show how much of it was agricultural land.

(c) and (d). Accurate information regarding requisitioned agricultural land returned to the peasants is not available but every effort is being made to release the land as rapidly as it can be released, unless it is required for the services permanently. Orders have already issued for the release of 237 major properties.

PROVINCIAL AND COMMUNAL QUOTA IN CENTRAL SERVICES

516. *Khan Bahadur Habibur Rahman: (a) Will the Honourable the Home Member please state if it is a fact that some time ago the Supply Department (when Sir Ramaswamy Mudaliar was the Member in Charge) issued a press note saying that in the services in that Department due representation will be given to minorities and provinces? If so, how far has this policy been followed in respect of minorities as well as of the provinces?

(b) Will this policy of representation of provinces be followed in other Departments of the Central Government, as there are many provinces which have little or no share in the Central Services? If not, why not?

The Honourable Sir John Thorne: (a) A press note was issued by the Supply Department stating that in selecting temporary personnel for retrenchment the considerations adopted are the suitability of the individual for the duties to be entrusted to him, length and quality of service and experience, the need to avoid "age blocks", adherence to standing orders requiring adequate representation of minority communities, and regard to fair representation of the several provinces. I have no reason to suppose that this policy has not been followed in practice.

(b) The Government have already issued general instructions designed to safeguard the minority communities during the process of retrenchment. They do not propose to issue similar instructions in the case of provincial representation.

INSUFFICIENCY OF BROADCASTING IN INDIA

517. *Khan Bahadur Habibur Rahman: (a) Will the Honourable Member for Information and Broadcasting be pleased to state when the Radio Station for Patna is likely to be installed? Why has it not been installed so far, though it was contemplated even before the war?

(b) Is it a fact that recently the Honourable Member announced plans for the expansion of broadcasting in India? Are Government aware that the number of radio stations in India is very insufficient, considering the size of the country? Are they also aware that there are 900 radio stations in Latin America only, if so, what steps are being taken by Government to bring the benefits of broadcasting to the various regions and zones in India?

(c) Do Government intend to take steps to broadcast news on a regional basis from the various radio stations, so that the different zones could be served with regional news? Do Government realise that at present news of local and provincial interest cannot be fully covered?

(d) Does the All-India Radio have its correspondents in Provinces? If not, will Government consider appointing such correspondents?

(e) Do Government contemplate having separate Urdu and Hindi broadcasts in place of the Hindustani broadcasts?

The Honourable Sir Akbar Hydari: (a) I have already given the information in answer to question No. 418 answered on the 21st February, 1946.

(b) I have not made any recent announcement but the Government of India are well aware of the insufficient number of radio stations in India. They have before them a comprehensive scheme for the development of broadcasting in India. They have no knowledge as to the number of radio stations in Latin America.

(c) No, but local and provincial news is broadcast as far as it is available and is accommodated in the news bulletins along with news of all-India and world importance.

(d) No, but Government will consider how far it is necessary to appoint such correspondents to augment All-India Radio's news service.

(e) No.

PAYMENT OF DEDUCTIONS AND ESCHEATS re WAR PENSION, ETC., TO FAMILIES OF WAR VICTIMS AMONG INDIAN PERSONNEL

518. *Babu Ram Narayan Singh: Will the War Secretary please state whether deduction, stoppages and escheats in respect of non-effective pay and war pensions payable to the families of the Indian personnel died or killed in the wars of 1914-18 and 1939-45, are governed by (i) the Indian Army Act or by (ii) any other rules or regulations? If by the latter (ii), what is the statutory authority for the same?

Mr. P. Mason: The India Army Act does not govern non-effective pay and pensions.

As explained to the Honourable Member, in answer to his starred question No. 731, on the 6th March 1945, and in the statement giving the information desired in answer to his question No. 1396, on the 27th March 1945, the subject "military pensions" is not a matter for legislation, and the powers conferred on the Government of India to make rules to govern Indian personnel are derived from the inherent powers of the Crown to prescribe such conditions as it may think fit to govern its gifts and bounties, within which category "pensions" fall.

FAMILY PENSION RULES FOR RELATIVES OF DECEASED SOLDIERS

519. *Babu Ram Narayan Singh: (a) Is the War Secretary aware of the facts.

(i) that a father whose son is killed in the war gets a family pension only after he has reached the age of 50 years;

(ii) that parents are given only one family pension for any number of deaths of their sons;

(iii) that any man who has earned a disability pension himself or is in receipt of a service pension at the rate of Rs. 8 per mensem, is considered not entitled to family pension as a result of the deaths of any number of his sons killed in the war; and

(iv) that after a widow in receipt of a family pension, marries or remarries even according to the customary law of her community, the family pension for the post-marriage period is forfeited without any consideration of the maintenance of minor children left by the deceased husband?

(b) If answer to (a) is in the affirmative, will he please state the statutory authority for the same?

Mr. P. Mason: On the assumption that the Honourable Member's question relates to Indian Viceroy's Commissioned Officers and other ranks, the answers are as follows:

(a) (i) Yes, Sir, unless he is shown to be incapable of earning his living.

(ii) No, Sir, there is no restriction on a family's receiving more than one pension.

(iii) No, Sir, the rule to this effect has recently been changed and there is no such absolute bar as described in the question.

(iv) It is true that the widow becomes disqualified if she remarries a person other than her deceased husband's brother and does not live a communal life with the other living eligible heirs, but the children's allowance is not discontinued but increased by 50 per cent.

(b) I have just said in answer to the Honourable Member's previous question, that no statutory authority is required in support of the pension rules.

STOPPAGE AND FORFEITURES OF WAR PENSIONS

520. *Babu Ram Narayan Singh: (a) Will the War Secretary please state if he is aware that the following stoppages and forfeitures have been enforced in respect of War Pensions admitted on account of disabilities sustained in Wars

(i) War Pension has been stopped on conviction of the pensioner by a court in British India;

(ii) War Pension has been stopped on conviction of the pensioner by a court in an Indian State; and

(iii) War Pension has been stopped on the report of medical experts to the effect that the disability on account of which it was granted has gone below 20 per cent.?

(b) If the reply to (a) above be in the affirmative, will he please state the statutory authority for stoppages and forfeitures in (a) with reference to Section 51 of the Indian Army Act, Section 136 of the Army Act and Section 300 (2) of the Government of India Act, 1935?

Mr. P. Mason: (a) (i) and (ii) I know of no cases in which War Pensions have been stopped because of convictions, but if the Honourable Member gives me particulars I will investigate them However, I may say that future good conduct is an implied condition of every grant of pension and an Indian military pensioner who is convicted of a serious crime by a court of law, or who is guilty of grave misconduct, is liable to forfeit his pension.

(iii) Yes, Sir The reassessment of the degree of disability is done by medical experts constituting examining boards after careful examination of the claimant and the medical documents.

(b) No statutory authority is necessary, nor are the sections of Acts quoted relevant to the issue

PENSION REGULATIONS AND INDIAN ARMY ACT

521. ***Babu Ram Narayan Singh:** (a) Will the War Secretary please state if it is a fact that for the punishment of Indian personnel of His Majesty's Indian Forces, on active service under a "duration of war" agreement, two sets of rules have been applied, one is called Pension Regulations and the other is the Indian Army Act itself?

(b) If the reply to (a) above be in the affirmative, will he please state the statutory authority for Governing forfeitures, stoppages and deductions under the Pension Regulations?

(c) Will he please state the link between the Indian Army Act and the Pension Regulations so as to impart to the Pension Regulations, the force of the Indian Army Act itself?

Mr. P. Mason: (a) No, Sir, Pension Regulations are not a penal code, and the Indian Army Act does not affect their application

(b) I have already stated in reply to the Honourable Member's previous questions, that no statutory provision is required for the making of pension rules by Government

(c) There is no link between the Indian Army Act and Pension Regulations, India

RELEASE OF EDUCATIONAL BUILDINGS OCCUPIED BY ARMY DEPARTMENT IN ASSAM

522. ***Sreejut Rohini Kumar Choudhuri:** (a) Will the War Secretary please state if it is a fact that assurances were given by the War Department of the Government of Assam that all educational buildings either belonging to Government or to public, will be released within the year 1945 and that the educational institutions will be able to re-occupy them?

(b) Are Government aware that these assurances have not yet been implemented and that the following among other educational buildings in Assam are still in occupation of the Army Department:

(i) Cotton College, Gauhati, Assam—(Government);

(ii) R. Handique Girls' College—(Government);

(iii) Cotton Collegiate School—(Government);

(iv) Government Aided Sonaram High School;

(v) Government Aided Panbazar Girls' High School;

(vi) Jagannath Barua College, Jorhat;

(vii) Silchar Government Aided College, Silchar;

(viii) Government High School, Sylhet;

(ix) Hostels attached to the abovementioned educational institutions; and

(x) Quarters assigned to the Principals, Headmasters, and Superintendents of Hostels of the aforesaid educational institutions?

(c) Is it a fact that they are in occupation of the Army Department since the beginning of the year 1942?

(d) Do Government propose to release these buildings forthwith?

Mr. P. Mason: (a) No, Sir, no such assurance can be traced

(b) The following is the position regarding the institutions referred to:

(iv) and (viii) have been released.

(v) will be vacated on 10th March 1946.

(i) and (ii) are expected to be released in April, but the hostels will be vacated during this month.

With regard to (iii), (vi) and (vii) the descriptions given by the Honourable Member do not tally with our records, but only two school buildings were requisitioned in Jorhat one of which has already been released and the other will be returned to the school authorities when certain repairs have been carried out. Ten out of the twelve school properties requisitioned in Silchar have been released and the remaining two will be released shortly. Hostels and Staff Quarters will be vacated with the Schools.

(c) Most of the educational properties requisitioned were taken over in 1942 during the emergency in Assam.

(d) The policy of Government is to release all requisitioned buildings used for educational purposes as soon as possible. By 1st January 1946, 60 per cent. of such buildings throughout India had been released.

DEMAND OF WAR LOAN FROM SAHU RAMESHWAR NATH OF PILIBHIT

523. *Sjt. Seth Damodar Swroop: (a) Will the Honourable the Home Member please state if Government are aware that the Sub-Divisional Magistrate, Pilibhit, wrote a letter to Sahu Rameshwar Nath requesting him to pay Rs. 40,000 towards the War Loan?

(b) Did he do so in consultation with the Collector of the District?

(c) Did Sahu Rameshwar Nath decline to subscribe to the loan? If so, on what ground?

(d) Is it also a fact that after the refusal to subscribe to the War Loan he was asked by the then Collector to explain why his licence for a revolver should not be cancelled?

The Honourable Sir John Thorne: I have called for the information and a statement will be laid on the table of the House in due course.

FORFEITURE OF SAHU RAMESHWAR NATH'S ARMS

†**524. *Sjt. Seth Damodar Swroop:** Will the Honourable the Home Member please state:

(a) if it is a fact that Sahu Rameshwar Nath transferred all his arms to various persons after the cancellation of his licence; and

(b) if so, if it is also a fact that some of these arms have not yet been delivered to the transferees although the transfer was made on December 16th 1944, before the date of expiry which was December 17th, 1944, and his revolvers have actually been forfeited to the Government by the order of the present Collector on the 4th of July, 1945?

†For answer to this question, *see* answer to question No. 523.

FOODSTUFFS FOR ARMED FORCES

525. *Sri M. Ananthasayanam Ayyangar: In connection with the cut in food rations of the civil population of India will the War Secretary please state:

(a) the number of British troops in India at present;

(b) the number of Indian troops in India at present;

(c) the total amount of wheat and rice in stock at present in all the military depots in India;

(d) the total amount of wheat and rice proposed to be stocked during the current year, in addition to the present stocks;

(e) the prices at which wheat and rice were bought during the previous year,

(f) the quantity of rations allowed to each person in the military service of the Crown in India, and whether it varies in the various Provinces;

(g) how far the rations allowed to the military personnel differ from the rations now allowed to the civilian population in the United Provinces, Delhi, Madras and all other Provinces except the Punjab, and

(h) whether Government propose to take steps in a month or two to send away all non-Indian military personnel British or West African or others—now in India, in order to reduce the drain on the food stocks in India?

Mr. P. Mason: (a) and (b) I regret that it would not be in the public interest to disclose these figures

(c) Stocks of wheat products and rice held in all military depots in India on the 1st February 1946 were Flour -13,428 tons; Atta -36,000 tons, Rice —20,870 tons.

These figures include amounts held on behalf of troops in South East Asia which will be transferred there in due course

(d) In addition to stocks at present held it is estimated that the following quantities of food grains will be required to maintain issues up to 31st March 1947 Flour—45,300 tons, Atta—171 500 tons; Rice—90,900 tons

From 1st April 1946 no rice or flour will be supplied to ALFSEA from India and from the same date all despatches of atta from India to ALFSEA will be subject to replacement by HMG

(e) The procurement of wheat and rice for the Defence Services is undertaken by the Food Department The average prices paid during 1945 by the Food Department were:

	Rs.	a.	p.	
Wheat—(Indigenous—Punjab)	9	0	0	per maund
Imported	10	0	0	per maund (pool price)
Rice—Punjab	12	0	0	per maund
Madras	8	12	0	per maund
C. P.	9	0	0	per maund
Assam	13	4	0	per maund

(f) The present daily ration for British Troops in India totals 4 lbs 9-2/5 ozs. This is made up of:

Meat Stuff (including Bacon)	16	ozs.
Milk, sugar and cheese	9 3/4	,,
Flour	12	,,
Rice	2/7	,,
Other cereals	1/2	,,
Vegetables, butter, etc.	34 9/10	,,
	4 lbs. 9-2/5 ozs.	

The daily ration for Indian Troops totals 3 lbs. 8-1/8 ozs. This is made up of:

Meat Stuff	6 ozs.
Milk and sugar	8 ,,
Atta/Rice	22 ,,
Other cereals	3 ,,
Ghi, Vegetables, etc.	17½ ,,
	3 lbs. 8-1/8 ozs.

There is no variation in military scales of rations between provinces.

(g) The amounts of the civilian cereal ration per adult per day in Provinces other than Punjab are:

Orissa	1·3 lbs. in Cuttack	Madras	12 ozs. approximately.
Assam	1 14 lbs.	Ajmer	12 ozs.
Bengal	1·14 lbs.	Bihar	·857 lbs. in Patna and Jamshedpur excluding gram.
Sind	1·14 lbs.		
N. W. F. P.	1·14 lbs.		
U. P.	1 lb.		
Bombay	1 lb.		1 14 lbs. in 10 other rationed towns including gram.
C. P.	1 lb.		
Delhi	12 ozs.		

(h) As I have already said, African military personnel are being sent out of India as fast as shipping permits.

As regards the other non-Indian military personnel, they represent a very small fraction of one per cent. of the population of India and in any case are fed almost entirely from imported foodstuffs.

EXCISE DUTY ON BETEL-NUTS

526. *Shri D. P. Karmarkar: Will the Honourable the Finance Member be pleased to state:

(a) whether Government have received representations on behalf of the betel-nut growers urging the abolition of the Excise Duty on betel-nuts in view of the hardships of the growers under the incidence of the duty;

(b) whether it is a fact that the prices of betel-nuts have gone down substantially since the betel-nut duty was imposed in 1944; and

(c) what steps Government propose to take in view of the conditions prevailing at present?

The Honourable Sir Archibald Rowlands: (a) Yes.

(b) Yes.

(c) I shall refer to this matter in my Budget speech.

ARMY MAINTENANCE UNITS

527. *Khan Bahadur Hafiz M. Ghazanfarulla: Will the War Secretary kindly state:

(a) how many Maintenance Units there are in India;

(b) how many of them are being retained by the War Department for their use;

(c) how many of these are going to be disbanded;

(d) how many of these are to be let out on hire, and for what period;

(e) the places which are to be let out;

(f) if it is a fact that the Maintenance Unit at Poona was advertised to be let out for only one year;

(g) whether this Maintenance Unit has been let out; if so, under what terms;

(h) whether the various Maintenance Units at Cawnpore will be retained; and

(i) how many of them will be disbanded, and when?

Mr. P. Mason: This question should have been addressed to the Honourable Member for Industries and Supplies who has agreed to answer it on the 5th March 1946.

DISPOSAL OF LANDS AND BUILDINGS BUILT FOR MILITARY USE

528. *Khan Bahadur Hafiz M. Ghazanfarulla: Will the War Secretary please state how he proposes to dispose of the lands and buildings which were built for the use of the military in different parts of the country?

Mr. P. Mason: Requisitioned and leased land and buildings will ordinarily be returned to the owners, when they become surplus to the requirements of the Services. If valuable assets have been created on sites which the owners are not willing to take over at a reasonable price, the Government have the right to acquire such sites

All property acquired during the war or after its termination which is surplus to the future requirements of the Services will be disposed of whenever possible to other Departments of the Central Government and to Provinces or States. Property not required by Governments or States will be disposed of to the best possible advantage The agency for disposal is the Lands, Hirings and Disposals Directorate-General and their representatives

ICE FACTORIES AND COLD STORAGES ERECTED DURING WAR

529. *Khan Bahadur Hafiz M. Ghazanfarulla: (a) Will the War Secretary please state the number of Ice Factories which were erected during the War by Government?

(b) What is the number of Cold Storages which were erected during the War by Government?

Mr. P. Mason: (a) 110 Ice Factories were installed during the war with a total capacity of 750 tons, and

(b) 38 Cold Storage units were set up

SALT CONCESSIONS UNDER GANDHI-IRWIN PACT

530. *Mr. K. C. Neogy: (a) Will the Honourable the Finance Member be pleased to state whether clause 20 of the Gandhi-Irwin Pact, permitting villagers to collect or make salt for domestic consumption, or sell within their villages, is in operation in its letter and spirit in the Province of Bengal?

(b) Do the Central Excise Rules, 1944, or any other statutory rule draw any distinction between the Province of Bengal and the other Provinces in regard to the operation of the above pact? If so, in what manner, and for what reasons?

Mr. B. C. A. Cook: (a) Yes, Sir.

(b) No, Sir.

PUBLIC UTILITY CONCERNS

531. *Mr. K. C. Neogy: Will the Honourable Member for Planning and Development be pleased to state the number of public utility concerns owned by British and other non-Indian interests in India, indicating the amount of the capital involved in such concerns, and the policy of Government in the matter of acquiring these concerns on behalf of the State or Municipal or other statutory bodies in India?

The Honourable Sir Akbar Hydari: *Fist part*: 56.

Second part: Government have no information.

Third part. I refer the Honourable Member to the general statement on industrial policy, issued by the Government of India, and the statements of policy in regard to electric undertakings, Civil Aviation and Road Motor Transport, copies of which are available in the Library of the House. The policy set forth in those statements will be followed in regard to all public utility concerns, whether British or Indian.

RACIAL DISCRIMINATION AGAINST STUDENTS ON BOARD "*S.S. Strathmore*"

532. *Sri M. Ananthasayanam Ayyangar: Will the War Secretary please state:

(a) if his attention has been drawn to a Reuter's message in the *Hindustan Times* of the 2nd February, 1946, relating to racial discrimination against students and others on board the "*S. S. Strathmore*" which arrived in England on the 14th January, 1946, from India;

(b) whether he has received any complaints from any one in the matter;

(c) what action, if any, he proposes to take to avoid recurrence of such incidents in future;

(d) who are the authorities who were responsible for such treatment of students from this country; and

(e) whether he proposes to make a full statement on the matter after making the necessary inquiries?

Mr. P. Mason: (a) Yes, Sir.

(b) No, Sir.

(c), (d) and (e). There is no discrimination in the berthing on Hired Transports except that Women and Children are given the best cabins with the maximum ventilation.

In the ship in question, all the cabins are well above the waterline on two decks with berths for 731 persons each. The statement that Indians were placed on a separate deck—which would have had to have accommodation for only 40 persons—is therefore obviously incorrect.

There are three classes in Hired Transports 'A', 'B' and 'C' which correspond to First Class, Second Class and Troopdeck. All civilians, I am informed, were Class 'A' and were all treated accordingly.

ELECTION OF MEMBERS TO DEFENCE CONSULTATIVE COMMITTEE

Mr. President: I understand that Mr. Mason wishes to make a statement to the House on the postponement of the elections to the Defence Consultative Committee.

Mr. P. Mason (Government of India: Nominated Official): Sir, a certain amount of discussion has taken place regarding the election of the Defence Consultative Committee and as the Parties are unable to reach an agreement, I venture to ask you, Sir, whether it would be possible to postpone the elections until tomorrow. It would perhaps give us time to reach an agreement today. I was in the process of reaching agreement just before the meeting today but we had not quite concluded our arrangements and it would help if the election could be postponed till tomorrow.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): Sir, may I suggest one course which I think will be more regular than any other that may be suggested? The election has in effect started from 10-30 this morning and if you would be good enough to direct that the ballot will be closed tomorrow, say at 1 or 1-30 P.M., then I think it will be convenient to all the Parties in this House. I may tell you that what Mr. Mason has said, *viz.*, that we are very near an agreement, is absolutely correct. I do not want to suggest any other course, because any other course may be considered by you to be irregular. Now that the election has in effect started, I think it would meet the views of all Parties if you would, Sir, kindly agree to give a direction that the ballot would remain open till and would be closed at 1 or 1-30 P.M. tomorrow.

Mr. President: May I know the views of the House?

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, the League Party has no objection to the postponenment of the election till

tomorrow or if it is considered more regular to keep the ballot box open till tomorrow, which means practically the same thing. Either of the two courses will be acceptable to my Party.

Mr. C. P. Lawson (Bengal: European): We have no objection to the postponement. Provided you rule that the method suggested by the Opposition Leader is in order, we would have no objection.

Mr. President: The postponement of the election would be technically speaking not right at this stage, because the process has already started at 10-30 A. M. this morning. The only course, therefore, open is to postpone the closing of the ballot, which may be done in view of the unanimous wish of the House, till 1-30 P.M. tomorrow. That will be the best course. I must also make it clear that a postponement of this kind should not be treated as a precedent. I am agreeing only because of the unanimous wish of the House.

There is one more point. In regard to the cut motion that was moved on behalf of the Congress Party yesterday, I understand that the only thing that remains to be done is to put it to vote.

Sir Mohammad Yamin Khan: Sir, I was in the Chair and closure was not asked for in time. In fact closure could have been asked for from any quarter. The Honourable Member for Railways and War Transport got up at five minutes to five and there was no motion for closure up to that time. Therefore I allowed him to go on with his reply to the points raised not only by the mover of the cut motion but also from several sides of the House. I thought it would be in the interest of the House that the Honourable Member replied to all the points raised. Closure was not asked for till five minutes past five.

Shri Satya Narayan Sinha (Darbhanga *cum* Saran: Non-Muhammadan): Sir, I wanted to move for closure at 5/5. I thought that the House would sit even after 5 as on some previous occasions. I did not like to move for closure in the midst of the Honourable Member's speech, because he would not finish his sentence.

Mr. President: I do not want to take up more time of the House, because any time now taken will mean curtailment of the time allotted to the Muslim League Party. It appears to me that unless the Honourable the War Transport Member says that his speech was not finished and he wants to say something more, matters will stand different. In that case according to the agreement of all Parties I would like to treat the motion as talked out. But if he has nothing more to add, it is a question merely of putting the cut motion to vote. It would not involve any loss of time, as it is only taking the opinion of the House.

The Honourable Sir Edward Benthall (Leader of the House): I had finished, Sir.

Mr. President: The only thing that practically remains now is putting the motion to the House.

The Honourable Sir Edward Benthall: Sir, I am not an expert on procedure. I thought that the understanding was that the Congress cut motion was to be moved yesterday and at 5 o'clock there should be closure of discussion. I do not think that Government should suffer from an error of the Chair.

Mr. President: I do not want anybody to suffer. The point is that even in the case of adjournment motions if the whole thing is completed just a minute before 6 o'clock and supposing a division is asked for, you go beyond 6 o'clock, though there should be a closure of the whole thing by 6 o'clock. In this case, of course, the matter stands entirely on the understanding between the Parties. If the understanding of the Parties has been, at any rate, on the part of the Government, that 5 o'clock means 5 o'clock and nothing further, I would not like to interfere.

The Honourable Sir Edward Benthall: I understood, as did the press, that the motion was talked out.

Mr. President: The point is one of agreement of Parties and not of decidin any procedure. To my mind, if Parties did not agree to the same thing in th same sense, then I must accept what the other Party has been saying abou it. I accept the Government interpretation. As it is a question of agree ment, I do not put the cut motion to the vote of the House.

BRETTON WOODS CONFERENCE AGREEMENT

PRESENTATION OF THE INTERIM REPORT* OF THE COMMITTEE

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I presen the Interim Report of the Committee on the Bretton Woods Conferenc Agreement.

With your permission, Sir, I would like to raise one point. In effect thi report recommends to the House that it agrees to the withdrawal of the second amendment moved to my original motion by Mr Ananthasayanam Ayyangar which will enable Government to proceed to appoint a governor to the fund and the bank. The first meeting takes place early in March, and unless the parties have different views I was proposing to move that the Report be taken into consideration on Thursday If it can be disposed of in a few minutes on the limited point involved, well and good. Otherwise it is for the Parties to decide when they want the debate; but clearly if that went over the 8th March, I shall want to be absolved from the technical irregularity of ignoring the amendment of Mr. Ayyangar.

Mr. President: The proposal is to have a discussion on the report on the 28th February.

The Honourable Sir Archibald Rowlands: It must be taken into account that I may have to ask the House to sit on some other day.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): I feel that it will take time for the report has got about 8 or 9 headings; and if members of the committee speak their views and others in the House want to say their views, it will take time, and I would request you to appoint Saturday as a whole day for this purpose.

Mr. President: Saturday is, I believe, a holiday for Mahashivratri

Mr. Manu Subedar: I did not know that Then Government can give some other day.

The Honourable Sir Edward Benthall (Leader of the House): I suggest that Friday is the only possible day.

Mr. President: 28th is the day for the presentation of the budget at 5 P.M. But before that we have got the Insurance Bill, and I think one Bill of the Honourable Dr. Ambedkar also comes on that day.

The Honourable Sir Edward Benthall: Also the Supplementary Railway Demands.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): Sir, we on this side of the House have no objection to sit on Friday. I recognise it is an important matter and members from different sides of the House may like to speak. It is true, it is an agreed report, subject to a supplementary note, signed by some Honourable Members; but there are members on all sides of the House who may like to express their opinions. In those circumstances, I think it would be better to reserve a full day for the discussion of the report. If the House agrees, I think Friday will be a suitable day. Thursday, as it appears now, is already reserved for the discussion of various other matters.

Mr. Manu Subedar: It will be a great strain on the Finance Member who has to read his Budget speech.

The Honourable Sir Archibald Rowlands: I can take it.

Shri Sarat Chandra Bose: I am not worried about the strain that it will impose on the Finance Member because I believe he is quite willing to undergo that strain. But I think it will be better to reserve a full day for the discussion of this important subject namely, the report on the Bretton Woods institutions.

Mr. President: I was just thinking of having a compromise by starting it on Thursday, time permitting, and continuing it on Friday. Is it possible?

The Honourable Sir Archibald Rowlands: If time can be had, I am willing to start it on Thursday.

Mr. President: So it may be started on Thursday and it may be continued on Friday.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): If necessary.

Mr. President: Of course, if necessary.

Shri Sarat Chandra Bose: Unless the Honourable the Finance Member considers Thursday afternoon inauspicious!

Mr. President: So we will carry on like this: we will fix it for Thursday, time permitting, of course, and we will carry on the discussion on Friday.

RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

SECOND STAGE—*contd.*

DEMAND No. 12—OPEN LINE WORKS—*contd.*

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I move

"That a sum not exceeding Rs. 35,98,48,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Open Line Works'."

Mr. President: Motion moved:

"That a sum not exceeding Rs. 35,98,48,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Open Line Works'."

Refusal of supplies for investment in Road Services

Nawab Siddique Ali Khan (Central Provinces and Berar: Muhammadan): Sir, I beg to move

"That the demand under the head 'Open Line Works' be reduced by Rs. 3,47,98,000."

Mr. President, before I deal with the subject matter of the cut motion, I deem it necessary for the benefit of honourable members of this House to give a brief history of the rail road coordination scheme. On the 20th February 1945, my Honourable friend, Sir Muhammad Yamin Khan, had moved a cut motion which was accepted by this House to reduce the demand No. 6-G by Rs. 82 lakhs. On the 3rd April 1945, the Honourable War Transport Member, after consulting the party leaders of this House, got the grant of Rs. 82 lakhs restored. He made a statement on the floor of this House about the short term and the long term policies. The short term war policy was only to relieve congestion. The long term policy was that joint rail road companies should be formed consisting of railways, provincial governments and the old operators. We were assured that while forming these companies the provinces will follow the method of negotiation and not regimentation. We were also assured that the interests of existing operators will be safeguarded. The House is aware that on the opening day of the present session, my Honourable friend Mr. Mohanlal Saksena, moved an adjournment motion to censure the government for its failure to act according to the assurances given by the Honourable War Transport Member. As a result of the tabling of this adjournment motion, the Honourable Member promised to place the whole case before an *ad hoc* committee of this House and in view of the statement made by the Honourable Member, my friend Mr. Mohanlal Saksena agreed to withdraw his adjournment motion. The report of the *ad hoc* committee is before us.

[Nawab Siddique Ali Khan.]

We the members of the committee sitting on this side of the House unanimously agreed that in most provinces there was neither negotiation nor consultation; and as a matter of fact in pursuance of the agreement arrived at last year between the party leaders and the Honourable Member there should have been consultations and negotiations. We also recommended that in view of the impending changes in provinces, railway participation in the scheme should be postponed. We also further recommended that the Ordinance should be withdrawn and the permits cancelled under the Ordinance should be restored. The Honourable Members of this House will be justified in asking us as to why we took up this step. Sir, my Honourable friend the Railway Member has said in his minute of dissent that genuine attempts were made by the provinces to carry out the promise of the White Paper. Due to the shortness of time which is at my disposal I will make a brief reference to my province and the Bombay Presidency with a view to show that the Central Government has failed and that too miserably to implement its policy in provinces. I am sure my Honourable friends who will speak on the cut motion after me will tell the House as to what is actually happening in their provinces and I am also sure that my Honourable friend Sir Muhammad Yamin Khan will tell us about the attitude of the Railway Standing Finance Committee with regard to this matter. In my province the policy was declared for the first time on the 6th February 1946. It has to be borne in mind that the *ad hoc* committee met on the 5th February. That is, this policy in my province was declared one day after the *ad hoc* committee met in Delhi. I have got a letter before me written by Mr. Pears, Joint Secretary to Government, Central Provinces and Berar. This letter was addressed to the President of the Provincial Motor Union, Bilaspur. He says:

"I am directed by the Governor of the Central Provinces and Berar to enclose a copy together with 50 copies of the White Paper which the Government of India propose to lay on the table of the House during the current session of the Central Legislature. This sets out the policy of the Central Government in regard to participation of State Railways in road motor transport The Provincial Government is in agreement with this policy."

May I know from my Honourable friend if this is a genuine attempt to negotiate with the existing operators when two new companies which were agents of Ford and Chevrolet and which had only motor repair shops had already been formed and given the monopoly in the province at the instance of the Local Government. Sir, not only this but train service between Badnera, Amraoti, Nagpur, Kamptee and Ramtek were discontinued only to oblige these two new companies because passengers preferred to travel by train as railway fare was cheaper than the bus fare I have got railway tickets here which show that railway fare from Nagpur to Kamptee was 3 annas and the bus fare according to this notice which I have got here is 5 annas. The Railway fare from Nagpur to Ramtek is 8 annas and the bus fare is 12 annas and the railway fare between Badnera and Amraoti used to be 2 annas while the bus fare at present is 3 annas. Sir, it is very difficult for the Honourable Members of this House to imagine the inconveniences caused to the public by travelling in the overcrowded buses and waiting for hours together in expectation of getting seats in those buses. Sir, the Provincial Motor Transport Controller who is a Police Officer is no doubt a Hitler in miniature. He holds several posts. He is the Petrol Rationing Authority as well as the Joint Secretary to the C. P. Government. He being armed with these powers has shabbily treated the poor operators in my province and also with the aid of the ordinance. He has cancelled their permits. He has refused to supply them motor tyres, tubes and other accessories, thereby depriving these poor operators of their only means of livelihood Is the Honourable Member justified in saying that such an autocrat made a genuine attempt to negotiate with the operators or made the slightest attempt to safeguard their interests.

Sir, I now turn to the Bombay Presidency. In the districts of Bombay, Poona, Ahmednagar, Sholapur and Belgaum there are operators who possess 263 permits. Ignoring the claims of these old operators a new company called the Relief Services Limited was started. Although the old operators applied

for permits to run more buses on those very routes, they were refused permission. Can this be called a genuine attempt to help the old operators. I have got a document in my possession which shows that the Provincial Motor Transport Controller of Bombay has personally got shares in the Silver Jubilee Limited of Poona. This is scandalous and is no doubt against the provision of section 44(2) of the Motor Vehicles Act. His brother and two sisters have shares to the value of Rupees one Lakh. The pamphlet which I have got before me on the front page says that ordinray shares of Rs. one thousand each given to so and so for help given in the promotion of the company as fully paid up shares for consideration other than cash. (*An Honourable Member*: "Is this not corruption"?) I have said it is against the Act.

Mr. President: The Honourable Member has only one minute more.

Nawab Siddique Ali Khan: I crave your indulgence for some more time. This is an important subject.

Mr. President: It is only because the parties are agreed on the time limit of 15 minutes that I reminded the Honourable Member of the time limit. If it is the desire of the House that a particular cut should be discussed for a longer time, I have no objection. What is the desire of the House.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): The Honourable Member may be given a little more time.

Mr. President: It is not a question of the Honourable Member being given a little more time. I want to know the agreement of the parties. There are five cuts and if all the cuts are moved, each cut will get only 40 minutes which is perhaps too short a time. I can give the Honourable Member ten minutes more; but may I know what is the desire of the House. Later on other speakers will find their time curtailed, while some others get longer time now.

Nawab Siddique Ali Khan: I shall not take more than 5 minutes.

Mr. President: If it is the desire of the House to have three cuts, let the position be made clear. If it is desired to move three cuts only, then each cut with get at least one hour.

Nawab Siddique Ali Khan: I won't take much time.

Mr. President: Very well. The Honourable Member can go on till he finishes his speech.

The Honourable Sir Edward Benthall: I hope the Government speaker will also be allowed the same latitude

Mr. President: Certainly.

Nawab Siddique Ali Khan: The consequent result of this was that two gentlemen were made promotors. May I venture to ask: Was this a genuine attempt to save the operators from the onslaughts of the capitalists? Truly it was a genuine attempt to cheat the Government and rob the poor people. Personally, I feel and I am emboldened to say the same on behalf of my Party which endorses my view that the rail-road co-ordination scheme has been a total failure. The Central Government has no effective machinery to enforce this scheme in the provinces by which the interests of poor operators could be safeguarded and the inconveniences and hardships caused to the public in general could be removed. I do not wish to take any more time of the House and I commend my cut motion for the acceptance of the House.

Mr. President: Cut motion moved:

"That the demand under the head 'Open Line Works' be reduced by Rs. 3,47,98,000."

Mr. M. R. Masani (Bombay City: Non-Muhammadan Urban): Mr. President, I rise to support the refusal of supplies moved by the preceding speaker. In doing so, I would like at the outset to make it clear that I am personally thoroughly disinterested as between the railways and the roads, and in my endeavour to remain neutral I always make it a point to fly! In saying this, I am serious to this extent that the interests of the operators on the one side and of the State railways on the other have both to be subordinated to the overriding interests of the country as a whole. And the fact that one party happens

[Mr. M. R. Masani.]

to be State-owned and the other free enterprise does not place the railways in any higher moral position than the road transport services. There is a widespread feeling that the present rail-road co-ordination scheme has been devised out of a fear, whether justified or unjustified, on the part of the State railways that they are endangered by the development of road transport. That motive has been ascribed by a large number of people, including recently the Vice-President of the Indian Merchants Chamber in Bombay in an official speech.

The motion before the House for the refusal of supplies can be based on a limited ground and that is that since political and constitutional changes are impending—certainly in the provinces and perhaps in the Centre—it is contrary to an elementary rule of public administration that a Government which is on its way out should commit the country or a province to a far-reaching measure of this nature. Therefore, the majority of the *ad hoc* Committee's recommendation is the one which I am supporting. If it were necessary, I would refer to the remarks of Pandit Govind Ballabh Pant, who was at one time Premier in the United Provinces, when last November he quite openly and definitely warned all the people concerned that if they placed their money or invested their money in these corporations which being set up, they were doing so at their own risk and that the Government which would take shape in that province in the very near future would not consider itself bound by any commitments made by the present Advisers' regime. That shows very clearly that the present Governments, unrepresentative as they are in the provinces and in the Centre, have no business to commit either the Centre or the provinces to far-reaching relationships of this kind. Since there is every possibility of, and we can look forward to, the operation of the scheme being suspended by a refusal of supplies, I think it would not be out of place to put before the House certain general considerations which point to the need for the entire scrapping of the scheme, not because rail-road co ordination is to be done away with—obviously it is essential—but because this is not really a scheme for co-ordination but for monopoly.

Yesterday, the Honourable Member in charge of this subject said that the present scheme did not rule out competition in service but only in rates. He said "We want competition in service but not in rates". With all respect, I say that that is not a fair estimate of the scheme that is at present before us. I say that this scheme, while professing to be a scheme of co-ordination, is in reality a scheme of monopoly, and of monopoly dominated by the existing monopolists, the State railways. If you only refer to the White Paper put before us (page 4, clause 14), Government themselves make it clear by saying:

"It is the view of the Central Government that competition on the basis of gain will inevitably result in uneconomic duplication They think, therefore, that the new joint Companies must in time have a monopoly of the type of road transport on the routes, or in the area, covered by their permits. . . . . But in any case the joint Companies should have a monopoly on the routes and of the type of traffic (passenger or goods) covered by their permit."

That, Sir, is one way in which the monopoly would work. There is also an attempt at a more insidious and far-reaching monopoly on the part of the railways. That you will find in the report of the conclusions of the Eighth Meeting of the Transport Advisory Council, which, I understand, met in November 1945.

The Honourable Sir Edward Benthall: That, Sir, is not a published document.

Mr. M. R. Masani: Whether it is published or not, the intentions of the promotors of the scheme are revealed by it and in one of its clauses—this is the endorsement of the Council to the recommendations—it says:

"During the first year until experience has been gained of the working of the Code, Transport Authorities should scrutinise with particular care applications for grant or renewal of public carrier permits for distances exceeding 50 miles and not exceeding 100 miles between places connected by railway."

Later on, in the definitive provisions it is provided that . .

The Honourable Sir Edward Benthall: Is the Honourable Member in order in reading from a confidential document which is, as a matter of fact, under discussion between the Provincial Governments and the Centre and is not an agreed document?

Mr. President: Is it a confidential document?

Mr. Manu Subedar (Indian Merchants Chamber and Bureau: Indian Commerce): Is it not the proposal of the Central Government and the Provincial Governments are merely invited to say Yes or No to it?

The Honourable Sir Edward Benthall: It is the result of the deliberations of the Transport Advisory Council which consists of members of the Provincial and Central Governments and it is now the subject of discussion by means of correspondence between the two. It is not a settled policy until it has been agreed to.

Mr. President: I want to be clear on facts. In what sense it is a confidential document?

The Honourable Sir Edward Benthall: It is not a published document. I have no real desire to stop discussion on this particular aspect, but I would like to make it clear that it is only a policy which is under discussion between the Provinces and the Centre and it has not yet been finalised.

Mr. President: I do not think any further discussion on this point is necessary. It is clear that the document is not a confidential one; it is only at the stage of discussion, as the Honourable Member says; and it is an unpublished document. But I believe copies are distributed to Honourable Members. I want to be clear on the facts. Has the Honourable Member got a copy of it from the library?

Mr. M. R. Masani: Yes, Sir.

Mr. President: Then it is not a confidential document.

Mr. M. R. Masani: I hope, Sir, you will not deduct the time occupied just now in this discussion from the time limit allotted to my speech! Sir, I was reading the conclusions of the meeting of the Transport Advisory Council:

"A Regional authority should not, save in accordance with the general or specific instructions of the Provincial Transport Commissioner or Authority grant or renew any public carrier's permit valid for a distance exceeding 50 miles between places served by railway; and should not in any case grant or renew such a permit valid for a distance exceeding 100 miles between places connected by railway but should refer the application to the Provincial Transport Commissioner or Authority."

It goes on:

"Subject to a hearing having been duly accorded to the interested parties, including the railway administration concerned, and to due regard having been had to the needs of the area for transport to the interests of existing road operators and to the need for co-ordination between road and rail, the competent Transport Officer or Authority in considering applications for the grant or renewal of a public carrier's permit valid between places connected by railway—

(a) should require strong economic justification to be shown to his satisfaction before granting or renewing a permit for a distance exceeding 100 miles, but not exceeding 200 miles; and

(b) should grant or renew a permit valid for a distance exceeding 200 miles only in every exceptional cases."

Now, Sir, these are valid attempts at getting a monopoly. In America, a lot of passengers are carried in buses at very cheap rates, and but for the fact that there is an efficient bus service, a lot of people in America would not be able to go from the west coast to the east coast and back if this alternative bus service was not available.

The Honourable Sir Edward Benthall: That applies to goods, not to passengers.

Mr. M. R. Masani: I thought this public carriers permit applied to carriers of both forms of traffic. I stand corrected. There is no reason why goods should not be so transported, if it can be done at cheaper cost and at greater convenience to people who want their goods to be carried.

Mr. Manu Subedar: Door to door delivery.

Mr. M. R. Masani: I say, Sir, this scheme savours strongly of monopoly. I would like to oppose the very conception of monopoly as applied to our transport service. I do so though I am a socialist. According to my socialist faith, I do not believe it is necessary to support any and every measure of nationalisation. Nationalisation, after all, is an instrument, a means to an end, and if it impedes social justice, if in a particular case it impedes the spreading of democracy to the economic sphere of life, then, I, Sir, would oppose it.

The reasons why I oppose monopoly are manifold. I shall just mention the reasons very briefly, because the time at my disposal would not permit of elaboration. The outstanding reason for opposing monopoly in our country is the backwardness of India. In the matter of roads, India has 35 miles of road mileage for every 100 square miles of area, as compared with 100 miles in the United States and 200 miles in the United Kingdom. India has only five motor vehicles for every lakh of population as against 1,200 in England and 3,300 in America. If road transport is backward, the position in regard to railways is by no means very much better. While India has a railway mileage of 41,000 miles, Europe (excluding Russia) with a similar area has 190,000 miles of railroads. What I am suggesting is that we are very far away from saturation point. We can do with a lot of more railways, a lot of more motor transport. Tiny countries like England and Japan may be vexed with the problem of railroad rivalry. We in this vast country have no reason to have headaches on this score. I would ask the Honourable Member in charge of Railways to remember that he is talking of a vast country, a potential great power, and therefore, we do not want the narrow outlook which small countries like England or Japan, or other countries of that size, are obliged to take. India is big enough for more railways, more roads, more shipping and more air lines. We want healthy competition between all these modes of transport. That is the only guarantee that new technical developments will be utilised and that efficiency will be maintained on both sides. Therefore, if the railways fear competition, their first duty is to put their house in order.

The next reason for opposing monopoly at this stage is that there is complete absence of information and data. In what way competition from road transport has affected the railways is not clearly discernible. While other factors like depression were there, it is no good the railways blaming road transport for interference by reason of their competition. In the absence of correct information and proper data, we cannot give to any people the right of monopoly.

So also, this attempt to set up a Transport Monopoly goes against the very basis of what I would call Gandhian thought. We in this country have to think on new lines, we should take advantage of the latest developments in science, and arrive at decentralised economy. We want economic power to be democratic, we want it to be spread over the largest number of hands possible. I oppose the whole scheme on socialist grounds because it is against the small man. I want the small man to have a place in society, and the small man includes the small road transport operator. I would much rather have the small Indian operator than the big British bureaucrat. I therefore think that the existence of free enterprise and free competition is a very valuable thing. We do not want every one to be reduced to the position of "small screws in the big machine of State". If I had the time, I could quote the British socialist Professor G. D. H. Cole and others who have recognised that the maintenance of the small man in trade, in industry and in transport is not an anti-socialist measure but is a pro-socialist measure as against the octopus of a big State that threatens to crush every one alike. Therefore, I would say that now that the scheme will be kept in abeyance, the Provincial Governments in the Provinces, and we hope a democratic Government in the Centre also, will have a chance to review the whole measure and scrap any attempt to have a monopoly in any form.

There are two ways by which one can go about this co-ordination. Co-ordination can be in rates or in ownership and control. Rates in railways, rates

on the roads, in the air and on water ways can be co-ordinated and competition equalised or evened out, and there is no reason why any one who wants to go into this enterprise of road transport should not be free to do so. In other words, the forming of provincial corporations or zonal companies is not a necessary part of co-ordination. You can have co-ordination of rates within the framework of free competition in road transport and between roads and rails. That is the method followed by the American Inter State Commerce Commission which recently reported that the policy should be one of determining minimum rates and letting traffic divide itself between competing agencies. The attempt here is to canalise traffic in a particular route, not to give it a free chance to flow this way and that. I suggest that a co-ordinated and efficient and fully developed transport system can be made possible by means of a Central All India Transport Board, which would not only control the railways but also roads, rivers and airways which would also be represented on that central authority. The railways are no more entitled to dominate over road transport than road transport over the railways. To interfere in any one branch of transport is nothing but dominating it. According to the scheme proposed, although the Honourable Member denies it, it really means domination of railways over other forms of transport.

Now, Sir, one last point. The Honourable Member's Minute of Dissent to the Majority Report of the *ad hoc* Committee is based on his anxiety and impatience not to have even a few weeks' or months' delay. That, Sir, is very estimable because we in India have suffered too long from delays of all kinds. May I say, Sir, that the Honourable Member's anxiety cannot be more pronounced than that of a person like Pandit Jawaharlal Nehru, the President of the National Planning Committee, one of our most eminent and ardent planners? Pandit Jawaharlal Nehru, with all his impatience and enthusiasm, says:

"It should have been easily possible for this matter to be postponed for a few months in order to consider the obvious objections to this scheme. While I realise that some co-ordination is desirable and that small scale operators cannot easily function with efficiency and with convenience to the public, I am of opinion that the present U. P. rail road co-ordination scheme is in many ways unfair to the operators of the province. The procedure adopted under the scheme is causing great hardship to a large number of people."

I would therefore suggest that the Honourable Member might also take this view that a little more delay, of a few weeks or months, is not going to do very much harm when matters of far reaching importance are to be considered. In fact, in his own speech before the Assembly which he delivered, I understand, last April, the Honourable Member himself described the problem as "a problem which will require considerable statesmanship and patience spread over a number of years, if we are to secure an orderly development of transport for the country's welfare". I suggest that just as the Honourable Member has been trying to impress on us the virtues of patience when we were dealing with the grievances of third class passengers or the manufacture of locomotives in India, so too we can preach patience to him when our interests are concerned. In any case, it does not lie in the mouths of those who have taken over a century to get down to the job of organising our road transport to show such impatience at this stage.

Mr. A. C. Turner (Government of India: Nominated Official): Sir, although two individual opinions to the contrary have been expressed this morning, I think it is a fact that all parties in this House and also the *ad hoc* committee of this House have agreed that Government's policy of forming joint road-rail companies is the correct policy. (*Cries of* "No, no".) This policy is designed to provide (1) the public reliable and efficient service at fair prices, (2) co-ordination between road and rail transport designed to avoid lapsing into the old state of cut-throat competition, and (3) to yield a reasonable return to the shareholders of the companies. The *ad hoc* committee have agreed that the white paper embodies these principles and, so far as I am aware, there is no allegation that the Central Government have not done all in their power faithfully to carry out the intentions underlying that agreement. The one point in issue seems to me to be the allegation that in some areas there has been insufficient consultation with the existing road operators and that they may not have

[Mr. A. C. Turner.]

received a fair deal. While this is a serious matter in so far as it may exis Government are satisfied that there are many areas in which negotiations wit existing operators have been full and agreements have been reached which a approved by all and the buses are now ready to be put on to the road. Clear in such areas there can be no need or justification for holding everything up.

The *ad hoc* committee have recommended postponement of any furth investments in view of the impending changes in the Provincial Governments Since all parties in this House have expressed agreement with the policy I car not see what advantage may be gained by suspending all action along th approved lines of the policy. The one object is to ensure that existing operato get a fair deal. Where no fear exists on this score surely the schemes should g ahead. Where genuine grievances exist, is it not better to get those grievance redressed at once? It was for this reason that the Honourable Leader of th House in his note of dissent on paragraph 4 of the *ad hoc* committee's repo suggested that any cases where disagreements persist may be referred to committee of this House. It must be remembered that the objective of th committee and of the Mover of this cut motion is to secure fairplay for th existing operators. Postponement where grievances exist may ultimately ben fit some operator, but postponement where there is practically complete agre ment and where months have been spent in planning and considerable expens has been incurred by the existing operators and where everything is now read to put the buses on the road, would in my opinion do grievous harm and injustic to the operators concerned. Where no dispute exists clearly the services shoul be put into operation both in the interests of the existing operators and als of the public which want the road services.

Coming to the actual cut which has now been proposed, the proposal is t cut the whole amount of supply. Is this not a peculiar way of trying to remed a minor ailment? Does it not seem like trying to cure a patient of a small i by cutting off his head?

Sri M. Ananthasayanam Ayyangar: (Madras Ceded District and Chittoor nor Muhammadan Rural): May I know whether a major ill can be cured by cuttin off the head?

Mr. A. C. Turner: That too would be unusual. Sir, the *ad hoc* committe have supported the policy and have only recommended the postponement c further investment.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural). Sir there is no question of 'further' investments. I have been listening to th Honourable Member's speech and he has twice misrepresented the report c the committee. There is no such word as 'further'. It says there should b no investment.

Mr. A. C. Turner: Presumably that also means that we should enter int no further commitments. The intention may be to criticise the action of th past, but any reasonable man must understand the recommendation of th committee to be that there should be no commitments in future also.

Sir Mohammad Yamin Khan: It means, no investment.

Mr. A. C. Turner: To continue, the *ad hoc* committee recommended pos ponement of investments. They clearly visualised proceeding with the imple mentation of the scheme in the comparatively near future. If, however, th whole of the provision of 3 crores and 48 lakhs is cut, neither the present nc the future Government can make any further investments, nor can any of th schemes proceed, until a supplementary grant is voted by this House; and the presumably would be some time next autumn at the earliest. This must caus considerable financial loss to Government, to promoters and to existing oper tors, and would deprive the public of efficient services for months to come Surely this cannot be the intention of this House. I would in the circumstance strongly urge on the Honourable Mover to reduce the amount of his cut to (say 2 crores instead of 3 crores and 48 lakhs. The remaining provision would suffic

to enable Government to make some progress and incur some further financial commitments in areas where there is no dispute, or, if this House so prefers, in cases where a committee of this House, as already proposed by the Leader of the House, is satisfied that the terms of the White Paper have been substantially observed.

Mr. H. G. Stokes (Bombay: European): Sir, when I first saw this motion I felt that it was an invitation to an execution. By it we have been asked to sentence to death the policy of rail-road co-ordination to which this House agreed last April; and after listening to the speeches of the Honourable Mover and my Honourable friend Mr. Masani I am strengthened in that view. We agreed to that policy last April but we never thought it the best policy that could be devised for the industry. I hope to say more on that later, but we did feel that that policy had many good points and we also felt that it was, at that time at any rate, the only policy that could secure general favour and general agreement in this House. Also we felt that a policy at that time was a very urgent necessity. Now, Sir, last April the war was nearing its end or rather was in its later stages, and the era of post-war development was—I think all will agree—in sight. We felt and we feel that whatever plan may be adopted, whatever plan my Honourable friends may decide upon when they come to power, a really sound and speedy development of motor transport is an absolute necessity. If we take a long view, Sir, transport is just as necessary for the development of industry in the cities, I submit, as it is for the development of the rural areas and the villages.

Then there is another point of view that I should like to refer to which concerns the question of employment. In this respect we here find ourselves in agreement with the views both of my Honourable friend Mr. Guruswami and of my Honourable friend Mr. Anthony. Mr. Guruswami says that he does not wish a single man to be deprived of a job to make room for the soldiers who are coming back. Now, Sir, leaving justice out of the question, that is sound common sense for it is not a solution of the problem If you want to get five and if you take away two from four and if you add two you still get four and not five. What we need is more jobs and new jobs. We also entirely agree with the views of Mr. Anthony that we should do the best we possibly can for these men who are coming back out of the forces. They fought for us, they have saved India and it is up to us to give them the best jobs that we can possibly find. These Sir, an expanding road transport industry can provide. Many of them came from the field and from the bullockcart. They are now trained technicians and they won't go back, and it is not reasonable I submit to expect them to go back.

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We saw other advantages in this policy. The policy of rail-road co-ordination has been a success in the United Kingdom. The railways have invested largely in road services—the figure, I believe, is something like 13 crores—and they secure a very good return on their money. We saw in the policy an opportunity for safeguarding the rights of the operators to which my Honourable friend, Mr. Masani, has referred, and we regard that, like everybody else in the House, as a most important fact. Then, Sir, the scheme whereby the Railways provided a certain amount of capital was to us good, because it meant that money would be readily available, and just at the time probably when there would be heavy calls on capital development, and the provision of this by the Railways would make it unnecessary for the big capitalist interests to come in which we were all agreed should be kept out of the industry. Those are the advantages that we saw in the policy, but in its short life it has developed a feature to which we cannot but object. I refer to the somewhat inordinate appetite of the provinces for a share of the pudding. Provinces in many cases have taken a large helping, the railways have taken a large helping, and as a result, in a number of cases, there is a precious little left for the operator and for the public. That means undue participation by the Railways and by the Provincial Governments, and that, Sir, leads naturally to financial domination. Financial domination I would like to describe as a Frankenstein—a word that was used in our deliberations last April, I forget who used it, I think the

[Mr. H. G. Stokes.]

Honourable Mr. Desai. I don't know what a 'Frankensteim' exactly is, but I gather it is an all-devouring monster . . . .

Prof N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Man-made monster.

Mr. H. G. Stokes: It is certainly an all-devouring monster, and I submit that we are justified in thinking that when the 'Frankenstein' comes out of its lair, it brings with it nationalization. We here oppose nationalization not because we are capitalists though we certainly believe in the capital structure for industry, but, Sir, we oppose it because we firmly and sincerely believe that industry will develop quicker and will achieve a healthier growth if full range is given to individual effort, to individual initiative, and to individual ambition . . . . .

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Like the East India Company!

Mr. H. G. Stokes: No, Sir. We do not consider that this very valuable policy—it is valuable in our opinion—can possibly have free development under the dead weight of Government control. We here see no reason why nationalization should be the best. What we should like is that this industry should grow up in free and healthy competition with the Railways. That, Sir, we think is the best policy. Obviously it must be controlled—there I agree with my Honourable friend Mr. Masani—because control is needed for the safety of the public who will use the services, and control is needed to prevent undue competition by the railways and undue and unfair competition amongst the operators themselves, which leads to bad services and a fall in the safety rate. I do not propose here to suggest how that control could be achieved, but I see in the White Paper in Section 14 that Government suggests the Motor Vehicles Act of 1939. Government have suggested there that the Act should be amended—I think that is necessary—but they also suggest that power should be given to the Regional Transport Authority or to some other authority to levy, fines, for the non-performance of certain duties. That, Sir, I am afraid, we here cannot possibly agree to. We do not think that fines should be levied by any but a judicial body and we should strongly object to the power being given to a statutory body of the kind I have mentioned. So much for policy.

I would now like to say a little about the *ad hoc* Committee Report of which I was privileged to be a member. Paragraph 4 of that Report I think cuts right across the rail-road policy. It is true that it only recommends postponement, but I feel and I felt that that postponement, which is *sine die*, might be very much prolonged. It is expected that Provincial Governments will shortly come in—at least we hope so—and I dare say they have, in many cases, a policy for road transport ready. I suggest that you may have a policy ready, but it takes time to work out the details and it takes time to convince people that it is the best policy and that it should be put into effect. I fear that this postponement is going to be a very lengthy one, and I venture to back up my Honourable friend, Mr. Turner, in suggesting that it is inadvisable at this time. I submit that it is not fair to the public who want these services, who are anxious that transport facilities should be extended during the time when rail-road travel must still be very restricted. I submit, Sir, that it is going to be a great hardship to the operators many of whom have made up their minds to join this scheme and have probably made binding financial arrangements, and here, Sir, I would like to say a word about the question of persuasion. I am afraid I could not agree with the majority of my colleagues that there has been lack of persuasion in most of the provinces. I do not think I am justified in divulging anything here or speaking of individual provinces. I rather gather that the deliberations of the Committee must be regarded as confidential. So I will only say that only in one province was I completely satisfied that very much further persuasion was needed. That was the U. P. to which the Honourable Mover has I think referred.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): What about the Central Provinces?

Mr. H. G. Stokes: The Central Provinces Government—if I may speak on it as I am not personally concerned—had, long before we discussed our policy last April, entered into certain commitments and had decided on a certain policy. I do not defend their action in any way.

Shri Mohan Lal Saksena: They are indefensible!

Mr. H. G. Stokes: My honourable friend says that they are indefensible. I do not defend them and I do not intend to do so. But I do feel that the Central Government cannot be blamed for what happened in the Central Provinces. My time is short.

Mr. President: The Honourable Member has only about a minute.

Mr. H. G. Stokes: Thank you. I will conclude. This year is a very important year for motor transport because we are going to have for the first time, as the Government has told us, for six years, a large number of new vehicles.

Shri Mohan Lal Saksena: You are to dispose of them all!

Mr. H. G. Stokes: And you have also a very large number being released by the military authorities, both British and American and there is I submit an ideal opportunity for the new companies to secure vehicles at very reasonable prices and good vehicles so that these services can be extended

I had intended to conclude with an appeal to the Honourable the mover that he would reconsider his decision and agree to something such as my honourable friend Mr. Turner has suggested But, Sir, my time is up and Mr. Turner has already made that appeal. If the original motion is pressed, then I am afraid we must vote against it.

Sir Mohammad Yamin Khan: First of all I must take exception to the statement which my honourable friend, Mr. Turner, the Financial Commissioner for Railways, has made, and I must say that he has absolutely misrepresented and misinterpreted the *ad hoc* Committee's report and what was in their minds The Committee did not approve of the scheme at all. They only said that they think that the White Paper fairly represents, not *in toto* but fairly represents the scheme as was put by the Honourable Member in charge last year. They did not approve of it They have shown in other paragraphs that they are not altogether agreeable to that scheme.

The second thing what the Honourable Member has tried to show is that the *ad hoc* Committee had only asked that no further investment be made. The Committee has clearly said that no investment should be made because it was never put before this Committee that any kind of investment had been made.

The Honourable Sir Edward Benthall: Question!

Sir Mohammad Yamin Khan: The Committee said that it was not brought to the notice of the Committee officially that any investment had been made. Therefore the Committee did not consider it to be seized with the question of any penny having been spent They said it is the jurisdiction of the Standing Finance Committee for Railways to see whether any money has been spent and to investigate with what authority it has been spent, because the Standing Finance Committee had never given any consent for even a single penny to be spent on this scheme Therefore any penny which has been spent will have to be decided by this House whether this has been done rightly or wrongly and the *ad hoc* Committee has given its verdict that if any money has been spent, this has been done irregularly, for which my Honourable friend was very anxious that his word should be taken out so that he may not be taken to task by the Finance Department that he has spent the money irregularly, and I endorse it that whatever expenditure has been incurred that has been irregular and unwarranted and without any authority by this House I will go further and say that when the demand comes for the supplementary grant this House will properly deal with this demand and will express the opinion that this House had never been consulted and no sanction was behind that expenditure.

[Sir Mohammad Yamin Khan]

Sir, now I will deal with this question. My honourable friend, the War Transport Member, said last year that if the House agreed he would proceed with the negotiations with the provinces. That was the only authority given and not for expenditure by this House. The Rs. 82 lakhs which were restored, were restored on a different cut as explained by him for different purposes but this money was absolutely not allowed by the Standing Finance Committee. Even in his speech, the Honourable Member said that if anything will be required, he will come before the Committee and will take its approval. These are the words:

"I undertake, however, that in any case the remaining. . . . . will be specifically placed before the Standing Finance Committee for Railways for approval before any agreement is finalized."

The Honourable Sir Edward Benthall: If I remember aright, that applied to managing agents only.

Sir Mohammad Yamin Khan: Quite right. Further the Honourable Member said:

"I shall then proceed to address Provincial Governments to urge on them the acceptance of the principles laid down where they have not have been already accepted."

And then he said that he will come before the House and will keep them informed every time as the matter progresses. These are words from his speech. I need not quote every word of it. If he reads his speech he will find "that the Government will proceed on these lines and will continue to keep the House and its Committees informed of the progress". He did not ask for sanction that he may be allowed to go and spend money.

Then according to the convention of the House if the scheme is accepted, every demand for the expenditure has to be scrutinised by the Standing Finance Committee for Railways and they have to examine every scheme and then give the sanction. The Standing Finance Committee was never consulted for any kind of expenditure whatsoever. Therefore, I say the whole expenditure is unauthorised and irregular and those who have spent this they will have to make it up either from their pockets or the Government will deal with them and see how the money can be recovered. If they are so powerful that they can spend public money and not be responsible for it, then of course I have nothing to say. But as far as power lies in this House, it will never endorse any penny having been spent without the sanction of this House.

The Honourable Member had very clearly promised that the operators will be consulted and will be given full opportunity to speak and their co-operation sought and after making this promise he said:

"Actions speak louder than words and I do hope that when this House meets again they will not find that our actions fall short of our professions."

I will show clearly and briefly how their actions have fallen short of their professions. They have not been consistent at all. Again he says "I promise to the operators a square deal, so far as it is in my power". What is the square deal to the operator. The square deal to the operators has been that an ordinance has been issued and under it the permits have been stopped which could be under ordinary Law renewed. The men are entitled to have their permits for three years and the square deal which the Honourable Member has done is that he has taken advantage of getting the signature of the Governor General to issue an ordinance over-riding the law which was passed by this House, so that their permits can be cancelled before their time. Those people are not only threatened by the cancellation of their permits but after cancellation they are presented with a document written under the authority of whom? I shall tell you. Here is one company which I have got. The document is signed by Mr. B. N. Bery, General Manager of the North Western Railway, Mr. Thom, Provincial Transport Commissioner, United Provinces and Mr. De Mello, General Manager of the Gwalior and Northern India Transport Co. Ltd. This is done after their permits had been cancelled. They say "If you have got any lorry, the value of your permit is only Rs. 500. You are getting no more than Rs. 500 per permit".

The valuation is to be put on the lorry and if they do not accept the price and if they want to sell to any other person, these men will not be entitled to invest their money in the company but they lose their rights and become ordinary private citizens.

The second point is, ordinarily if a bus becomes unserviceable the man exchanges it for another through a company. This company wants that all these should be treated as scrap and must be sold in the market as such at whatever price they can fetch and the company is not prepared to take it. This is the fair deal that the Honourable Member has promised. I say that the working has been from the beginning to the end absolutely inconsistent with the promises given.

The Honourable Member was trying to show to this House that there were certain cases where Governments were proceeding and the railways had done nothing of any kind and no commitment had been made on the 3rd April, 1945. In the note which was presented to the Standing Finance Committee for Railways it is disclosed that the G. I. P Railway entered into an agreement with Messrs Sultan Chinoy and another Transport company in August 1944. With whose authority was this done?

The Honourable Sir Edward Benthall: In pursuance of the policy which had long been accepted by Government, arising originally out of the Wedgewood Report.

Prof. N. G. Ranga: This House negatived the Wedgewood Report and condemned it

Sir Mohammad Yamin Khan: This is the way this House has been treated. This was in the possession of the Honourable Member and he never placed these facts before this House He said that the C. P Government were negotiating and before they finalised every thing will be placed before the Standing Finance Committee and before the House He ought to have told the House that the Government on behalf of the Railways had approached certain companies to negotiate for participation in the road rail scheme but this was never disclosed to the House We find that in August 1944 this was an accomplished fact. As a matter of fact the C P Government had not agreed to allow Messrs Sultan Chinoy and Co to start their company unless they agreed to give 50 per cent. shares to the public and that was only up to the extent of ten lakhs but the Government negatived this and railways came in and wanted to increase it to 50 lakhs. This matter was presented to the Standing Finance Committee which remarked as follows This is a kind of censure. The Committee said:

"They considered it unfortunate (of course in a polite manner) that in the case of the C P. Transport Service, Ltd , the matter of appointment of managing agents had gone so far that it was impracticable to upset the arrangements, but they approve the schemes subject to the following recommendations" It means this that if they do not accept these, every thing is thrown off. First, "The period of the managing agency should be reduced to ten years" that is instead of 20 years, which they were proposing, and "the remuneration of the managing agent should be reduced from ten to 5 per cent. profit thereof."

"The consideration for shares alloted to road operators should be taken in the form of vehicles at assessed value and any balance in the form of cash." Messrs Sultan Chinoy and the other transport company did not agree to these conditions, which means that the Standing Finance Committee's acceptance is null and void. The Standing Finance Committee met on the 25th July when they passed the above remarks and though the committee existed till the 30th September, 1945, no further approach was made to it. Now I see the Honourable Member is anxious. His dissenting note is very clear. He wants to kill the operators by one stroke. That is the square deal which the Honourable Member wants to give. Though an ordinance has been issued, the majority report of the committee said that all the permits which had been invalidated under the ordinance should be validated and the ordinary law should take its course but the Honourable Member is unable to accept this report. This is the fair deal which we can expect from the Railway Department and from those who are interested in running these services. My Honourable friend Mr. Stokes

[Sir Mohammad Yamin Khan]

has said that the public wants that these new buses should come in but I think nobody except himself or his group wants that there should be a change of the kind as is suggested in the schemes. At present the railways are charging less than 4½ pies, in some places 3 pies per mile with a little surcharge and what is suggested here in this scheme is that 6 pies per mile will be charged from third class accommodation in the lorries.

The Honourable Sir Edward Benthall: That is not the Central Government.

Sir Mohammad Yamin Khan: This is issued under the signature of Mr. Berry, the General Manager of N. W. R.

The Honourable Sir Edward Benthall: In accordance with the Provincial Government's orders.

Sir Mohammad Yamin Khan: This is the co-ordination between the Central Government and the Provincial Governments that the General Manager of a railway and the Provincial Transport Commissioner agree to charge so much from the public and put it into the pocket of Mr. DeMello. This is the way how you are going to treat the public. The poor man who can now come to Delhi from Meerut, a distance of 40 miles, for eleven annas, you propose to charge him Rs. 1-5-0. I am just giving you one illustration.

The Honourable Sir Edward Benthall: Does the Honourable Member then think that these bus fares are too high?

Sir Mohammad Yamin Khan: I think so. These fares are put in the interest of railways and not in the interests of the general public. I say that it is because they think that these buses serve the public in a much cheaper manner they should therefore be wiped off from the line. That is why this anxiety. . . . . .

The Honourable Sir Edward Benthall: The Honourable Member wishes bus fares to be lowered rather than railway fares to be put up: is that right?

Sir Mohammad Yamin Khan No; I do not want that. I say that the railways are charging only 11 annas now and they want the buses to charge 1-5-0, that is, double the amount; and so it is not in the interests of the public, as my friend Mr. Stokes says; because he may be able to pay since he travels first class and pays something like six annas a mile, and this is intended for upper classes—9 pies per passenger mile. Therefore he gains, while the poor man loses. Therefore he wants to benefit at the expense of the poor man and he says it is all right. But the public as a whole, the class of people who go by the bus are the losers, and therefore it is not right to say that the public is anxious to have this kind of bus service replaced. It may be so in a few exceptional cases, but I do not see where the public comes in; and if the public is represented by the views of the elected members of this House, he will know where the public stands. I have listened to the appeal so pathetically made by my friend Mr. Turner, that this may be reduced to Rs. 2 crores, instead of the total amount being rejected. I am afraid that no elected member of this House will fall into this trap and allow you even a pie, so that you might say that your scheme has been accepted and then crush these people. No. This House will reject in *in toto* and put it down that the scheme as it has been worked has been ruthlessly carried out and therefore not a single pie will be left with the Government for this purpose in order to carry out this scheme in this manner and in this spirit for the next year.

Just one minute more, Sir. Sardar Sant Singh asked last year "Will the Government work it in this spirit?" and the Honourable Member said he will work in that same spirit. If this had been worked in that spirit of give and take and toleration and no threat and no misuse of power, then of course that would have been totally different. Now, I endorse my signature on the report which I have put, that there has been no consultation, as far as my knowledge goes; and I do not know if any other member had any other knowledge beyond what he has listened to here; but I have got personal knowledge and I say that at least in my province there is no question of operators being consulted or

their consent being taken: they have been treated very badly and threatened and a ready-made scheme has been thrust on them. Therefore I appeal to the House to support this cut and show to the Government that they are not willing to support such high-handed action—they make a promise and carry it out in a different manner. I support the motion.

Mr. P. B. Gole (Berar: Non-Muhammadan): Mr. President, I rise to support the motion so ably moved by my honourable friend from the Muslim League Party . . . . . .

Mr. President: Will the Honourable Member speak a little more loudly?

Mr. P. B. Gole: I was one of the members of the *ad hoc* committee and we had to examine whether the white paper represented correctly the agreement that was reached on the floor of this House; and we examined the white paper in the light of the speeches made last year when the supplementary demand for 82 lakhs was voted; and we thought that clearly speaking the first part of it fairly represents the agreement that was reached on the floor of this House. But when we began to examine the details and the working of the scheme in different provinces, we found that precept and action were different. In fact I would like to quote the Honourable Leader of the House when he stated last year that actions speak louder than words. "I hope when this House meets again they will not find that our actions fall short of our professions." Now unfortunately I have to remark that these actions speak louder than the words of the Honourable Member last year; and the actions are just the opposite of what was agreed to and what was written in the first part of the white paper. I may draw your attention to paras. 9 and 13 of the first part of the white paper. There it clearly suggests that in every province the scheme that was to be adopted was to be brought about by negotiation with the present operators. It was intended that these operators . . . . . .

The Honourable Sir Edward Benthall: I would ask whether the action does not speak louder than the words: the action complained of is not by the Central Government. The action of the Central Government is the white paper—the policy laid down there.

Mr. P. B. Gole: I am sorry to say that the action if it is by the Provincial Governments has been endorsed by the Central Government. In fact, the Central Government has been contributing money for supporting the action of the Provinical Governments, and therefore this is the action. In fact, I am really surprised that the Honourable War Transport Member just now says that the action is the first part of the white paper. But the bringing into effect of this white paper is really the action; and although it may have been brought about by the Provincial Governments, the Central Government is a party to it, and the Central Government has adopted it, in fact invested money in those concerns. Therefore these are the actions, and I am very sorry to say that they are exactly the opposite to what was agreed to on the floor of this House. Really speaking, none of the members of the *ad hoc* committee was willing to disallow this money which was voted, because the scheme had been agreed to somehow or other rightly or wrongly on the floor of the House; but ultimately it came to our notice that as a matter of fact the Provincial Governments with the connivance or consent of the Central Government are proceeding with schemes which are just opposite to what was agreed to on the floor of the House, and therefore as I said I would only point out for the sake of instances, two cases where this has not been followed in any of the provinces.

First, I refer to para. 9 in the first part of the white paper, in which the present operators on the roads were to be consulted as to who amongst them should be the promoter; and with their consent the promoter was to be appointed; and that promoter really speaking with their consent was to float the company in which the railway authorities as well as the Provincial Governments were to have a share. Now, take the case of Bombay, where the promoters were not chosen by the operators. In fact the provincial transport authority went round from place to place and brought about—he did not call a meeting, he did not even consult those operators together, but he

[Mr. P. B. Gole]

took some operators of his choice and appointed them promotors. In fact, even the ordinary procedure that ought to be followed in such cases was not followed in Bombay. The Bombay Government on the 14th June 1945 issued in the Gazette a scheme for the rail-road co-ordination. The usual method is that whenever a proposal is made or published in the Gazette, the Government generally calls for objections from the public as well as from those persons who would be affected by that scheme. In this case, when this was published on the 14th June, no objections were called for. In fact that was the final scheme that was placed before the public and the operators. Somehow or other I find that in this rail-road co-ordination the public is nowhere mentioned; it is for the benefit of the public that the scheme is adopted and the ultimate object is that the travelling public should be benefitted but the travelling public has nowhere been consulted. In no province has the public been consulted or called upon to express its opinion.

Here the position as we find it is this. The scheme was published on the 14th June and afterwards the Motor Transport Authority proceeded to give notices and in fact for the benefit of the provinces a new Ordinance was adopted in September 1945. I am really surprised at the way in which the Ordinance has been promulgated. I do not know at whose suggestion this Ordinance was promulgated. Probably Section 44(2) of the Motor Vehicles Act was not before the Government at the time when this was promulgated. Otherwise I suppose care would have been taken in promulgating this Ordinance to safeguard against the great difficulty which has now arisen. I will take the case of Bombay, although I come from C. P. About the C. P. the less said the better. If that is a foretaste of what is to come, then the sooner the whole thing is scrapped the better it will be.

Now, I would bring to your notice section 44 (2). This section says:

"A Provincial Transport Authority or a Regional Transport Authority shall consist of such number of officials and non-officials as the Provincial Government may think fit to appoint but no person who has a financial interest whether as proprietor, employee or otherwise in any transport undertaking shall be appointed as or continue as a member of a Provincial or Regional Transport Authority."

Somehow or other these Provincial Governments have taken financial interest in these new companies which have been floated and the Provincial Transport Authority is issuing permits. Now, this authority is really a representative of the Government and if they have a financial interest how can they really speaking issue these permits at all. In fact, the Provincial Transport Authority comes to an end immediately it takes financial interest in these companies. This is the law and this is in the statute book and so long as these provisions exist in the law, the Provincial Transport Authority is expressly forbidden to take financial interest in these undertakings.

Then there is another difficulty in the way of the Government. I am referring to the Ordinance issued by the Government on the 14th July 1944 There, section 6 of the Motor Vehicles Act was sought to be amended and it is said that the Provincial Government may by notification in official Gazette authorise, subject to such conditions as it may deem fit to impose, any person to perform such functions of the Provincial Government. Thus, the Regional Transport or Provincial Transport Authority is clothed with power of the Provincial Government. Take the case of the C.P. There the Provincial Government enters into a contract and into financial arrangements and invests money. All actions of this Provincial Transport Authority subsequent to the taking of financial interest in these companies becomes *ultra vires* and illegal. What do we find in the Bombay Presidency? I do not want to name any person but Mr. Kotawala who is the Provincial Transport Authority in the Bombay Presidency has got personal financial interest. Once financial interest comes in, the Provincial Transport Authority ceases automatically to be the Provincial Transport Authority. Therefore all its actions in cancelling permits or issuing new permits become *ultra vires* and illegal. Probably this escaped the notice of Government while issuing the Ordinance.

The Honourable Sir Edward Benthall: As personalities have been brought in, must say that the whole of that officer's position has been fully disclosed and is fully known to the Provincial Government and there is nothing irregular in it whatsoever.

Mr. P. B. Gole: That does not make it legal. The position is that we are governed by the Motor Vehicles Act and section 44 (2) clearly lays down the position. Therefore the whole scheme of the financial interest of the Provincial Governments with the Central Government helping them is illegal from start to finish.' We were anxious at that time that the new Ordinance that was enacted should be withdrawn and we have also stated that the permits that were cancelled under the authority of these Ordinances should be renewed. The reason is obvious. There is patent illegality in the whole procedure that has been followed. That is why we have stated in our report that the Ordinance should be withdrawn.

There is another aspect to this question and it is this. Roads are provincial subjects. No doubt in these roads the common taxpayer has invested his money. It is called the King's highway and every person has a right to the use of this highway unless he comes in the way of another.

Mr. President: Order, order. I would request Honourable Members to carry on their consultations in a low tone or, better still, in the lobby.

Mr. P. B. Gole: I was pointing out the rights of the common man so far as roads are concerned. That being so, every operator, great or small has a right to ply his vehicle on the road along with the big companies which have virtual monopolies, as Mr Masani pointed out. These big companies are going to drive out the small bus operators. I ask why should not these small operators be allowed to ply their trade. They have as much right to the use of the road as the bigger companies. The Railways have got a monopoly because the rails are the exclusive property of the railways but the roads are public property in which every member of the public is interested and has got a vested interest. You cannot deprive him of that right by making rules under the Motor Vehicles Act. When this rail-road co-ordination scheme was started, I was wondering whether the Government ever took into consideration the common rights of the people in regard to the use of highways and from that point of view the question is whether this rail-road co-ordination should be started at all. We should not come in the way of the common rights of every member of the public and from this point of view also, this rail-road co-ordination scheme does require consideration. We as members of the Committee wanted to see whether any progress has been made on the lines of what was agreed to on the floor of the House last year. And from this point of view we examined this rail-road scheme. Although the points were correctly stated in the first part of the White Paper, the actual action speaks just the contrary and we find an almost autocratic way in which not the common operator on the road is being benefitted but it is the capitalists who are being benefitted. Take the case of the C.P. Both these companies which were floated they were not operators on the roads. They were, as observed by my Honourable friend, the agents for selling motor accessories. They were not on the road. They were taken hold of by the C.P. Government and they were made not only promotors but they were given the managing agencies.

Mr. President: Order, Order: The Honourable Member may remember his time-limit.

Mr. P. B. Gole: I do not want to take more time, Sir, but the subject is a vast one and I happen to be a member of the Committee. I assure you I won't take much time. I will now read paragraph 13 of the White Paper. It runs:

"Managing Agencies will not be employed hereafter. Cases where railways, or Provincial Governments in conjunction with railways, have carried negotiations with any road transport interest to a stage where they stand committed to a Managing Agency, and where such promotors are unwilling to modify the arrangement, will be reported by Railway Administrations to the Railway Board before agreements are concluded."

[Mr. P. B. Gole]

What is the point in this case? Take the case of C.P. where two managing agencies were taken. Its managing agents were unwilling to relinquish their rights under the managing agency agreement. Originally, they were for 10 lakhs and afterwards they were raised to 50 lakhs and 30 lakhs. Why was further investment agreed to in the companies when they were not willing to give up the managing agencies? I may tell you that so far as one company is concerned, I happen to have read its balance-sheet and you will be surprised to learn that the dividend they proposed to give inclusive of income-tax was 2 per cent., 1 per cent of which would go towards the income-tax and the other 1 per cent. will be given to the shareholders of the company. These are the companies which are going to give this benefit to the operators and also to the public. So far as the miseries of the public are concerned, the less said the better.

I do not think I shall be able to finish all this, but I would say, in conclusion, that in view of what has already been said by my other friends I support the motion of total rejection of this grant.

Before I close I may draw your attention to page 107 of the Demands for Grants. There I find that the budget estimate for 1946-47 is Rs. 3,47,98,000. Last year only 82 lakhs were voted, whereas the revised estimate for 1945-46 was 1,18,68,000. Whence did this money come and how was it spent, I myself do not know. Perhaps the Honourable the Railway Member would ask for a supplementary grant; but that is a different matter. I submit that in view of the fact that none of these agreements have been observed in action, the demand should be rejected.

The Honourable Sir Edward Benthall: Sir, my Honourable friend Mr. Masani quoted against me my statement that it required great patience spread over a number of years to achieve our objective. When I said that I foresaw a number of difficulties, but I did not quite foresee the *volte face* that we are meeting today, a *volte face* which after a year of heavy work in what I believe to be the interests of the country is, to say the least, extremely disappointing. I was impressed, as usual, by my Honourable friend Mr. Masani's speech. He has come rather late into this discussion. The views which he has put forward are well-recognised views and they express a certain point of view towards road-rail co-ordination, but they have all been discussed and fought over in the Experts Report, on the T.A.C. and the Post-war Policy Committee. And the policy which we adopted last year is one evolved after thinking out that and other points of view in their application to conditions in India. When the policy was agreed last year, it was based on an agreed speech, a speech which the Leaders of Parties saw before it was delivered. My Honourable friends the Leader of the Congress Party and the Deputy Leader of the Muslim League Party agreed to it. I can quote them. The Leader of the Congress Party said: "I support the motion and commend it for the acceptance of the House." My Honourable friend the Deputy Leader of the Muslim League Party similarly said "I have no doubt in my mind that it will prove of great benefit in the matter of future road transport development in India." My Honourable friend Sir Mohammad Yamin Khan, who for some reason or other seems so excited about it today, not only spoke in favour of it last year but said: "I agree to most of the principles laid down and I give my general support to the proposal which has been made." He also walked into the lobby with me, for which I am grateful to him.

Sir Mohammad Yamin Khan: Read my whole speech.

The Honourable Sir Edward Benthall: Anyway, that was the line he took last year and that was the line which the two Parties took officially. On the agreement of all the Parties except Dr. Banerjea's we went ahead with the scheme and we incurred financial commitments. The 118 lakhs, which Mr. Gole was just referring to, was incurred in consistency with the sanction given by the House because I said on the 3rd April that if the scheme was approved, I shall proceed with it. The point which my Honourable friend Sir Mohammad

Yamin Khan made about referring certain matters to the Finance Committee applied only to the question of managing agency. I think he left that out of the context. In other words, he twisted my statement to suit his argument. That is not very convincing.

Sri M. Ananthasayanam Ayyangar: Is it not a rule that the whole of the expenditure over 20 lakhs should be referred to the Standing Finance Committee?

The Honourable Sir Edward Benthall: On a particular item.

Sri M. Ananthasayanam Ayyangar: Why was not this placed before the Standing Finance Committee?

The Honourable Sir Edward Benthall: Because there was no item in excess of 20 lakhs.

Now, Sir, that takes us to the beginning of this year. I should perhaps just also mention, in connection with the code of principles from which my Honourable friend Mr. Masani quoted, that I was wrong. The findings of the Transport Advisory Council are placed before the House. They are in the Library of the House and they are not confidential. I did refer to this code of principles in the speech last year and the Party Leaders accepted the general principle. That takes us over last year and brings us to this year. I maintain that in appointing the Committee at the beginning of this session to examine the progress made in carrying out the principles of the road-rail co-ordination scheme, the House at that moment accepted the principles of the scheme to which we agreed last year. Sir, I maintain also that the White Paper which I laid on the table on the very first day of the Session fairly covers the agreement reached in the Assembly on 12th April last respecting the principles of road-rail co-ordinat-

1 P.M. and I had hoped that when the Committee went through it, they would [illegible] principles of road-rail co-ordination. They certainly were good enough to certify here that so far as the Central Government was concerned, we had fairly tried to carry out the conditions which we had accepted a year ago. Sir, in my minority report, I recognised that there were in certain areas grounds for difference of opinion regarding the means of consultation and agreement with operators hitherto. I was quite prepared to discuss and my Honourable friend the Financial Commissioner said to the House and to the Committee of the House that we are prepared to discuss the application of these principles in cases where there was a doubt.

But my difficulty at the moment is to know precisely where we stand. A few days ago, when my Honourable friend Sri Ananthasayanam Ayyangar was speaking, and as he made some remarks on the subject of nationalisation of road transport, the question I put to him was "Is that your Party policy", because I had seen the policy of the Party in the Press and I understood that nationalisation might be the Party policy. He confirmed that it was. But today, my Honourable friend Mr. Masani was saying quite a different thing.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): You do not want a monopoly for a few *plus* railways.

The Honourable Sir Edward Benthall: My Honourable friend Mr. Masani is against that nationalisation. Where do we stand? Sir, I quite agree that it is perfectly legitimate for the Party to change its mind.

Prof. N. G. Ranga: A proper harmonisation between nationalisation, private interest and co-operatisation. That is what we want.

The Honourable Sir Edward Benthall: I say it is perfectly legitimate for any Party to change its mind and to review its policy from time to time, but at the present moment, it is quite clear that the Party opposite has not got a mind of its own.

Prof. N. G. Ranga: We have.

The Honourable Sir Edward Benthall: If so, then your Party Members do not know what it is, because they appear to speak with several different voices. I have no quarrel with the policy of nationalisation, and if any Provincial Government has decided on a policy of that sort, we are perfectly willing to co-operate. Each Province is at liberty to decide how it will proceed, whether

[Sir Edward Benthall]

on the rail-road co-ordination scheme, or on a co-ordination scheme of its own leaving out the railways, or whether it wishes provincial ownership or provincial nationalisation with the railways. That is a matter for the Provinces to decide. But whatever is decided, there is still need for co-ordination and the more provincial money that is invested in it, the more the need for co-ordinatoin. If as is apparent, the policy of the Opposition Parties is, if I may say so, *Jai chaos* and it comes into effect then all the measures for co-ordinatio. are lost. If you do not have co-ordination or if you have provincial finance in direct competition with central finance, the central finances are liable to be affected and there will be all the less money available for, for instance, the subvention of Provinces for the purpose of building roads. Surely the country will get a set back Also, you will get back to the old conditions of competition when the railways and the buses were faced with severest competitio with each other and the buses themselves in competition with buses In pre war days, it is known to the House that very often the life of a bus owner was only four years at the outset. The scheme which we put forward was agreed last year. It does not prejudice nationalisation itself, it is in fact a half-way house

Shri D P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural): May I know whether any definite scheme was put before the House for giving its approval or only general principles?

The Honourable Sir Edward Benthall: There was a scheme agreed to by Party leaders. You cannot have much more than that

Sri M. Ananthasayanam Ayyangar: There was a dissentient voice even there

The Honourable Sir Edward Benthall: If Provincial Governments wish to go in for nationalisation, as I understand is the policy of some Provincial Governments, including the Punjab and Madras, then it is much easier for the Governments to negotiate and so to expropriate organised companies than it is to expropriate individuals. They would not presumably expropriate without compensation There is a *volte face* in the Parties opposite since last year, a position which I strongly suspect to be brought about by organised opposition and pressure by vested interests against the interests of the public. There was only one speaker, that I have heard Mr. Masani, considering the interests of the public, they should come first I of course fully recognise the natural desire of my Honourable friends opposite that this scheme should be postponed pending the advent of provincial ministerial Governments, and as I indicated I was perfectly willing to agree that the scheme should be suspended in cases where there was any disagreement, in cases where there was not full general agreement between the operators and the Provincial Governments and the Central Government I am prepared to accommodate myself fully as far as I could to meet the present political situation. Now, Sir, we are in the position where the committee apparently endorses the policy, approves the White Paper but refuses funds in entirety. It is cutting the grant by 100 per cent, there is nothing left whatever.

Sir Mohammad Yamin Khan: It does not approve the scheme

The Honourable Sir Edward Benthall: It appears to be purely a Gilbertian situation, full of inconsistencies. We are being cut this sum in the main not for our own delinquencies, but for the deliquencies which are alleged to have occurred in the provinces and we are refused funds even where there is 100 per cent agreement between the operators, the provincial governments and the railways. We are refused funds even in these cases, even though the policy has been agreed to formally in a speech agreed by the Leaders of Parties. I am sorry for the long suffering public which has come in for so little consideration in this matter. Irrespective of the programme on which everybody has been working rightly or wrongly,—there may be delinquencies in the matter,—several governments have been working on this for a year. We have 500 buses more or less ready. I think there are 180 in Bombay, which we have

committed ourselves to in pursuance of this policy and which I think is covered in the 118 lakhs to which my Honourable friend Mr. Gole referred.

Sir Mohammad Yamin Khan: Are they not coming in supplementary grants?

The Honourable Sir Edward Benthall: If this cut motion is carried there are no funds whatsoever and from what I heard opposite of the conflicting opinions there are not likely to be any policies put forward at least for some months after the provincial Governments have taken office. Therefore you reach a stage, just at the moment when transport ought to be developed all over the country, when you close down on it and throw the thing into chaos. My Honourable friend the Financial Commissioner put forward the suggestion that we should go ahead where there was more or less complete agreement and that we should create a forum for decision by placing the matter before the Standing Finance Committee or some other committee, and I was perfectly willing to accept conditions to be fulfilled before each case was put up. But, Sir, we now reach a position of deadlock. Government as a result of the debate last year went ahead, the agreement was positively unique. I can think of very few other things in India where there was agreement between the Congress, the Muslim League, the European Group and Government. All that is now to be cast aside. In pursuance of that agreement we incurred financial commitments both to the Provincial Governments and to the operators to the extent shown in the revised budget, of 118 lakhs, and many of these commitments are—I am advised—legally enforceable.

Sir Mohammad Yamin Khan: Are they coming as supplementary demands before the House?

The Honourable Sir Edward Benthall: No, Sir. They come within Grant No. 12 last year.

Sir Mohammad Yamin Khan: But that was not 118 lakhs.

The Honourable Sir Edward Benthall: The position is that there was a balance last year of 6 lakhs odd, and in pursuance of the policy agreed upon with the Leaders of parties I then said that we were going ahead and we would take the assent as authority to go ahead with the scheme. And going ahead involves investments to which you commit yourselves. We got agreement, my Honourable friend himself went into the box with me.

Sir Mohammad Yamin Khan: What I want to know is this. My Honourable friend has spent those 6 lakhs. What does he propose to spend up to the 31st March and with respect to the further 118 lakhs is he coming up to the House with a supplementary demand?

The Honourable Sir Edward Benthall: That is not necessary.

Sir Mohammad Yamin Khan: Under what rule?

The Honourable Sir Edward Benthall: Under the ordinary financial rules. The Honourable Member has been a member of the Standing Finance Committee long enough to know what they are. This is a perfectly regular proceeding when the House has agreed to the policy, and agreed to it in the firm manner which I have described.

Sir Mohammad Yamin Khan: If that is the case, supplementary grants would not be required for anything.

The Honourable Sir Edward Benthall: They are necessary, but in this case at least no supplementary grants are necessary.

Mr. President: The Honourable Member may continue his speech after Lunch.

ELECTION OF MEMBERS TO DEFENCE CONSULTATIVE COMMITTEE

Mr. President: I have to inform the Assembly that up to 12 noon on Saturday the 23rd February, 1946, the time fixed for receiving nominations for the Defence Consultative Committee, 13 nominations were received. Subsequently three members withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected to the Committee for the unexpired portion of the financial year 1945-46 and for the financial year 1946-47:—(1) Shri Sarat Chandra Bose, (2) Mr. M. Asaf Ali, (3) Shri Satya Narayan Sinha, (4) Diwan Chaman Lall, (5)

[Mr. President]

Dr. G. V. Deshmukh, (6) Nawabzada Liaquat Ali Khan, (7) Nawab Siddique Ali Khan, (8) Captain Syed Abid Hussain, (9) Colonel Kumar Shri Himmatsinhji, and (10) Mr. Frank B. Anthony.

Nominated Official): Sir, I said this

Mr. P. Mason (Government of India: Nominated Official): Sir, I said this morning that we were very near an agreement on this subject and subsequently I have reached an agreement with all parties of the House, and in pursuance of that agreement I move.

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, two additional non-official members to serve on the Defence Consultative Committee constituted for the unexpired portion of the financial year 1945-46 and for the financial years 1946-47."

Mr. President: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, two additional non-official members to serve on the Defence Consultative Committee constituted for the unexpired portion of the financial year 1945-46 and for the financial year 1946-47."

The motion was adopted.

Mr. President: I have to inform Honourable Members that for the purpose of election of two additional members to the Defence Consultative Committee, the Notice Office will be open to receive nominations upto 1 P.M. on Wednesday, the 27th February and the election, if necessary, will be held at 2-30 P.M. on the same day, *viz.*, the 27th February in the Chamber

The Assembly then adjourned for Lunch till Half Past Two of the Clock

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The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Mr G. V Mavalankar) in the Chair.

RAILWAY BUDGET—LIST OF DEMANDS—*contd*

DEMAND NO. 12—OPEN LINE WORKS—*contd.*

Refusal of Supplies for investment in Road Services—contd.

The Honourable Sir Edward Benthall: Sir, before rounding off, I should just like to deal with one or two points which were raised by Honourable friends in connection with the conduct of one or two Provincial Governments. I said in my note of dissent that I was satisfied that a genuine attempt was made to carry out the terms, and one or two Honourable Members questioned what was done in the Bombay Presidency. I have no doubt whatsoever that in so far as that Presidency was concerned, the Government made an extremely genuine attempt to carry out the terms of the White Paper and to give the operators a fair deal. Out of some 5,600—I am not quite sure of the figure—operators, holders of permits concerned, something like 4,900 actually signified their approval of one promoter or another, that is to say voted for the election of a promoter or managing director, and if that, Sir, is not an evidence of full consultation I do not know what is, because the scheme was fully explained at the meetings. I consider, therefore, that there is really nothing that can be said about that Government, who did not use the Ordinance in any way for any of these purposes.

Then, Sir, I must revert to what I consider the most improper suggestions made about the interest of the Provincial Motor Transport Controller. It is suggested that he holds shares in the new companies. It is not only untrue, but it is impossible because I understand that no company has yet issued shares, and therefore he cannot be a shareholder as is alleged. As regards his private investments, those are disclosed to the Provincial Government who know the position fully and the Provincial Government are perfectly satisfied with his *bona-fides*, and, Sir, I suggest that it is a very weak case when members of the Opposition have to resort to denigrating personalities in order to support criticism of a policy of this importance

As regards the Central Provinces' policy, there always was a difficulty because, as the House will remember, we entered into negotiations with the Central Provinces Government long before this question was thrashed out and an agreed policy settled on the floor of this House. I think it was November 1944 that the policy of Railway-Provincial Government-operator-public co-operation was settled and we were committed to the policy of going ahead before the agreed

speech of 3rd April, 1944. I said then that I would attempt to review the managing agency position in respect of these two companies, and I went down and made a *bona fide* attempt to modify the agreement. The Provincial Government felt that negotiations had taken long and they had so far committed themselves that they were in duty bound to continue the arrangement to which they had given their approval. The matter was referred back once more to the Standing Finance Committee, as my Honourable friend opposite said. They gave approval subject to certain terms being fulfilled which were again put back to the Provincial Government who expressed some surprise that they should come back once more and regretted that they could not go back on their word All we were able to achieve was the other object; we failed to achieve the objective of removing the managing agency, but we were able to get in something more in the nature of a square deal for the operators, because the capital was increased in order to make room for them to come in, arrangements were made so that they could take up their full proportion of the capital, and that increase of the capital automatically increased the railway liability to take up our percentage. It was done not for any other object but to get the operators a fair share of the capital which we fully agree was insufficient prior to that

Finally, somebody mentioned the Ordinance I have repeated on the floor of the House before that the Ordinance was not an increase of powers for the purpose of putting through this scheme. Quite the reverse. It was represented to us at the time that the powers under the old Ordinance of 1944 were excessive and were being used improperly or likely to be used improperly by some provinces for the purpose of coercing operators and for that purpose we introduced the new Ordinance XXXI of 1945 which lessened the powers—it did not increase them, it lessened them—with the object of trying to ensure that so far as we were concerned undue pressure would not be brought on the operators. The Central Government in the Railway Department certainly cannot be blamed On the contrary they ought to be commended for bringing in lesser powers at the request of interested parties That Ordinance was discussed and the Committee requested that we should amend it by doing away with the clause that offended them. That has been done and a new Ordinance went out at the end of last week. The Ordinance was not used for these purposes in such provinces as Bombay

Shri Mohan Lal Saksena: It was used in the United Provinces

The Honourable Sir Edward Benthall: That cannot be held against the Central Government. If you wish . .

Shri Mohan Lal Saksena: As an accomplice!

Mr. Sasanka Sekhar Sanyal (Presidency Division—Non-Muhammadan Rural): As an evil genius

The Honourable Sir Edward Benthall: What is the position to-day? The Railway Department have entered into commitments which as shown in the budget statement amount to Rs 118 lakhs. We entered on that on the authority given by this House in agreeing to the policy in regard to which some of my Honourable friends walked into the lobby with us.

Shri Mohan Lal Saksena: That is the price!

The Honourable Sir Edward Benthall: According to the ordinary budget practice, reappropriation within that grant is perfectly regular if the policy is agreed to, and I think there is no doubt that the financial authorities will find that is being done.

My Honourable friend, Sir Yamin Khan, suggests that it is irregular because each item was not put before the Standing Finance Committee. Ever since these negotiations began, I have been suggesting that the Standing Finance Committee or some other Committee should go into these items and twice already this morning that suggestion has been made. Apparently it does not commend itself to the House who prefer to adopt the cut motion which will have the effect of insuring that there will be no grant whatsoever for 1946-47. Obviously therefore no new commitments can be entered into and so far as rail-road co-ordination is concerned, we come to a dead stop. There will be no funds for a new

[Sir Edward Benthall]

Government when it comes in and to spend any money for this purpose will be very irregular. The financial course that will be necessary will be to introduce a new budget and ask for a new grant. That is the effect of this motion and there is very little more to be said. So far as we are concerned, all we have to do on this side is to review the position of the commitments made and see what can be done about them. If there are serious difficulties then we will place them before the appropriate committee.

As regards future policy as to what will happen in the formation of road companies, that is outside our sphere. It will be for the Provincial Governments to decide what they want to do—whether they wish to proceed with their arrangements leaving out the railways or whether they wish to nationalise, which in the circumstances may very well be the best course for the purpose of organizing road transport. My Honourable friend, Nawabzada Liaquat Ali Khan, said last year, "It is not only a question of making profits but of providing conveniences for the people of the country". This is a fact which appears to have been considerably overlooked this morning.

Going on he said: "Until such time as we accept, or the House accept, a policy of nationalising road transport as in the case of railways the next best thing that can be done is to work this in co-operation with the railways, the Provincial Governments, the present operators and the general public."

He went on to say that he has no doubt in his mind that this arrangement would "prove of great benefit in the matter of future development of road-transport in India."

Well, Sir, that is gone. A year's solid progress in co-ordinating road transport is apparently now to be thrown away and I suggest, Sir, that it is a bad day for the development of co-ordination of transport in India as a whole if my Honourable friends carry this motion against us as they can do.

Mr. President: The question is

That the demand under the head 'Open Line Works' be reduced by Rs. 3,47,98,000."

The Assembly divided.

AYES—66

Abdul Hamid Shah, Maulvi.
Abdullah, Hafiz Mohammad.
Abul Hussain, Choudhury Md.
Ali Asghar Khan, Mr.
Ayyangar, Sri M. Ananthasayanam
Banerjee, Sree Satyapriya.
Bose, Shri Sarat Chandra
Chaman Lall, Diwan
Chettiar, Sri T. A. Ramalingam
Choudhury, Srijut Rohini Kumar
Daga, Seth Shivdass
Deshmukh, Dr. G. V.
Ebrahim Haroon Jaffer, Mr. Ahmed.
Gadgil, Sjt. N. V.
Gangaraju, Sri V.
Ganri Shankar Saran Singh, Mr.
Ghaznafarulla, Khan Bahadur Hafiz M.
Gole, Mr. P. B.
Gounder, Sri V. C. Vellingiri.
Govind Das, Seth
Hans Raj, Raizada
Hiray, Sjt. B. S.
Ismail Khan, Hajee Chowdhury Mohammad.
Jagannathdas, Sri.
Jeelani, Khan Bahadur Makhdum Al-Haj Syed Sher Shah.
Jhunjhunwala, Mr. B. P.
Jinachandran, Sri M. K.
Karmarkar, Shri D. P.
Khan, Mr. Debendra Lal
Killedar, Mr. Mohammad M.
Lahiri Choudhury, Srijut Dhirendra Kanta.
Mahapatra, Sri Bhagirathi.
Mangal Singh, Sardar.
Masani, Mr. M. R.
Menon, Sri A. Karunakara.
Mukhopadhyay, Mr. Nagendranath
Mukut Bihari Lal Bhargava, Pandit
Nairang, Syed Ghulam Bhik
Narayanamurthi, Sri N.
Nauman, Mr. Muhammad
Pahwal, Pandit Sri Krishna Dutt
Rahmat ullah, Mr. Muhammad
Ram Narayan Singh, Babu
Ramayan Prasad, Mr.
Ranga, Prof. N. G.
Reddiar, Sri R. Venkatasubba
Saksena, Shri Mohan Lal
Salve, Mr. P. K.
Sampuran Singh, Sardar
Sanyal, Mr. Sasanka Sekhar
Satakopachari, Sri T. V.
Sharma, Mr. Krishna Chandra.
Sharma, Pandit Balkrishna
Siddique Ali Khan, Nawab
Siddiqi, Mr. Abdur Rahman
Sinha, Shri Satya Narayan
Sri Prakasa, Shri.
Suhrawardy, Sir Hassan.
Sukhdev Udhowdas, Mr.
Tamizuddin Khan, Mr.
Thakur Das Bhargava, Pandit
Vadilal Lallubhai, Mr.
Varma, Mr. B. B.
Vinchoorkar, Sardar N. G.
Yamin Khan, Sir Mohammad.
Yusuf Abdoola Haroon, Seth

NOES—36.

Ahmad Ali Khan Alvi, Raja Sir Saiyid	Khan, Khan Bahadur Z H.
Ambedkar, The Honourable Dr B R	Lawson, Mr. C P
Azizul Huque, The Honourable Dr Sir M	Mason, Mr. P
Banerjee, Mr. R N.	Morris, Mr R C
Benthall, The Honourable Sir Edward	Naqvi, Mr A T.
Bewoor, Sir Gurunath	Nilkant Mr S H Y.
Bhattacharyya, Rai Bahadur Devendra Mohan.	Raja Bahadur of Khallikote.
Chapman-Mortimer, Mr T.	Roy, The Honourable Sir Asoka
Chatterjee, Lt.-Col Dr J C	Rowlands, The Honourable Sir Archibald
Cool, Mr B C A.	Sargent, Dr John
Penton, Mr. R. V.	Sharbat Khan, Khan Bahadur.
Gwilt, Mr. Leslie.	Siva Raj, Rao Bahadur N
Harendra Singh, Sardar Bahadur Captan Sardar.	Spence, Sir George
Himmatsinhji, Col Kumar Shri	Sri Chand, Chaudhri
Hirtzel, Mr M A F.	Stokes, Mr. H G
Hydari, The Honourable Sir Akbar	Thorne, The Honourable Sir John
Jehangir, Sir Cowasjee	Turner, Mr. A. C
	Waugh, The Honourable Mr A A
	Weightman, Mr. H

The motion was adopted

Policy of Government re Cash and Pay Departments on contractual basis on B. B. and C. I. and N. W. Railways

Mr. Muhammad Nauman: Sir, I move

That the demand under the head 'Railway Board' be reduced by Re. 1."

My purpose is simple. We condemn the practice of contracts in all spheres and more particularly on the railways. I am referring to the contractual basis of the Cash and Payment Department on the B. B. & C. I. and N. W. Railways. This is because the Contractors have blocked all improvements and the administrations have a free hand in indulging in all sorts of likes and dislikes in making their choice of the indivdual who is to be appointed for the purpose. I need not stress here any particular individual's conduct but I must express my regret that this practice has been still maintained, although in all other railways we have not got anything like this, and the management is made directly by the department. This is a very peculiar system on the N. W. R. and B. B. & C. I., which only means that the finances of the administration are under the management of a financial baron or something like that. My purpose is very simple in condemning this system as it is so peculiar under the circumstances; and we do not know whether this has been the arrangement in any other part of the world on any railways—even those which are managed by the different companies in the U. K. and other parts of the world. Much less the State ownership should have allowed this thing to go on in the manner in which it exists. I am told that the appointments in Cash and Pay Department are a great event in those administrations where all sorts of influences are used to bear upon the choice and it is so natural. Human factors cannot be eliminated when these are matters of contract resting on the individual choice of the administrative heads; and I think if at all we agree to place certain facts which would condemn the choice, the Honourable Member would come and say that this is within the discretion of the general manager and the Railway Board and the Honourable Member has no business to interfere. That has been the kind of reply which we had been hearing from the Honourable Member, not this year but even in the years gone by. What does it mean? It means that the administrations are not capable of managing them directly; either they are not used to it or they think they are not capable of doing it departmentally or they think they are not in a position to procure such men who would administer this particular branch in the best possible manner. I do not know the terms of the agreement, and I am told that it is one per cent. on the transaction. You will notice what the average income is. On the Bombay, Baroda and Central India Railway the earning is about Rs. 20 crores and odds. On the N. W. R. it is Rs. 35 crores odd, which means again that the total amount involved is Rs. 35,10,94,000. These are huge figures and even working on the 1 per cent.

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basis it would amount to crores of rupees. These are the figures I have got, but the Honourable Member can get the exact figures. This is the position which I want to impress as most condemnable from our point of view, and we do not think it should be continued any more. The administration should take up directly the management of this particular department as all the other railways are doing this departmentally B., B. & C. I. and N. W. Railways should also do. The Honourable Member should terminate this system here and now, because the Honourable Member has tried to convince us that he has always tried to take this House into confidence and I am proposing this on behalf of my Party and I hope all other colleagues in the House do also agree with the suggestion that I am giving, that this system now obtaining on the B., B. & C. I and N. W. Railways should be terminated forthwith and the work should be done directly by the administration themselves With these words, I move.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Re 1"

Sir Mohaammd Yamin Khan: Sir, I support this cut and I think it ought to be the policy of Government that all Government money received as revenue should be put in the Government treasury and every servant of the Government should be paid through the treasury, and the collections and payments should not be made through private individuals This had been the custom when the railways were managed by companies; when the companies had no treasury of their own they employed certain individuals to act as their treasurers, but now the circumstances have changed Everywhere you have got your own treasury; all other railways are managing this department and I think this policy on the B., B. & C I and N W Railways is very wrong We have tabled this cut motion in order to get a proper reply from the Government and I must make it clear that we have given only a cut of a rupee which means that our idea is to get a discussion and not to censure the Government for the past It is only in order to bring it to the notice of the Government and to invite their attention to it Our policy is not to defeat or censure the Government in this respect, but it is only to draw attention to it that they must adopt everywhere the same policy as prevails on the other railways, why this exception has been made in the case of these two railways, B., B & C I and N W Railways is not understandable Of course I can understand in the case of the B., B & C I. Railway because it has come only recently under the management of Government and probably escaped the attention of the Railway Department to bring it into line with other lines, but about the N W R I do not know why this has been allowed for such a long time, and if it has escaped the attention of Government, they must do it now without loss of time. That is the idea of bringing this cut motion so that the policy may be changed With these words I support this cut motion, and we will be quite willing to withdraw it if we get a satisfactory reply that the Government is going to adopt the policy we have suggested and to which their attention has been drawn

Mr. A. C. Turner: Sir, contractors have done the cash and pay work on the B., B & C. I. and N. W. Railways for many years in a satisfactory manner. It is true that in the case of the remaining railways the work is carried out departmentally. Due to the abnormal and unsettled conditions created by the war, the Railway Board's policy in regard to these contracts has been and still is not to disturb the existing agreements The Board is not quite satisfied that the present would be a suitable time to make this change . . . . . .

An Honourable Member: Why?

Sir Mohammad Yamin Khan: When will be the suitable time?

Mr. A. C. Turner: I will deal with that a little later. To make a change in the near future would place yet another burden on the railway administrations concerned at a time when all their energies are being devoted to rehabilitation and development. A minor consideration is that though the number of staff

concerned is comparatively small difficulty would be experienced in recruiting at this juncture suitable experienced persons.

Sir Mohammad Yamin Khan: There will be plenty available when demobilisation is coming in.

Mr. A. C. Turner: Not immediately. Whether trained and suitable staff will become available is doubtful.

Both the Railway Administrations are firmly convinced that the contract system, which has given them satisfaction over a period of years, should be retained and there is scope for a genuine difference of opinion on the merits of the two systems, departmental *versus* contract.

Some of the advantages I may enumerate as follows. Under the contract system the Railway is absolved from the very considerable risk there is of loss when the work is carried out departmentally. The liability for loss is of course transferred to the contractors. Further in respect of petty shortages and losses, which in the aggregate come to a considerable sum, contractors are in a better position than the Railway Administration to take effective action. They make arrangements with their staff on a system of indemnities and this is a system which a Railway Administration could not adopt with its own servants. It would obviously be extremely difficult to deal with cases of petty shortages through departmental inquiries and action. Another advantage of the contractor system is that it provides for independent witnesses of payments and checking of receipts. One from the contractors' side is present and one from the Railway side. If the whole thing is departmentalised, naturally there would not be this double check. A further point is that the contractors are usually big bankers and are engaged in other such work and have a fairly big staff at their disposal, so that in the event of any short notice calls for staff by reason of people asking for leave, falling ill and so on, they can always fill those posts, whereas when the work is departmentalised it means having a leave reserve of considerable proportion. This makes it more expensive for Government to carry on the work.

However, I have merely enumerated here a few points to show that there are advantages in retaining the contract system. I do not say that they are of over-riding importance but there are two sides to this question. The Railway Board, I may say, have an open mind on the subject. It was considered during the war as to whether a change should be made and it was decided that it would be a very difficult matter when the war was on. Conditions have not changed very much since then but the Railway Board have recently called for certain information from the Railways concerned and when this information is received they will give the subject the most careful consideration and come to a decision whether to retain the present contract system or to adopt the departmental procedure which is in force on other Railways.

Sir Mohammad Yamin Khan: Will the Honourable Member be prepared to discuss this matter with the Standing Finance Committee for Railways when these reports come in and take their advice on the matter?

Mr. A. C. Turner: We are prepared to consider the subject in the Standing Finance Committee for Railways.

Mr. Muhammad Nauman: Then, I do not press my motion.

The cut motion was by leave of the Assembly withdrawn.

Reduction in Muslim Representation due to Retrenchment

Mr. Muhammad Nauman: I move

"That the demand under the head 'Railway Board' be reduced by Re. 1."

I do not suppose I need discuss this at very great length because we have been coming before this House for many years to demand that the Muslim quota in the services were not having been made up. What we notice is that in spite of some efforts to implement the promises made by Government in 1938-39, our position according to the Railway Board's 1938-39 report available was that we

[Mr Muhammad Nauman]

were holding 22·1 per cent *in toto* that is, overall percentage which included all services of all varieties. The report for 1945 shows that we have come to a figure of nearly 23 per cent. and this includes all the employees who have been employed during war time and those who are on the permanent category and also those who are in temporary category Taking all this together it has not come to more than 23 per cent The total number of employees as shown in this report on page 247 is 9,62,000, as against that, the Muslims are shown as 2,30,000, which works out to a percentage of nearly 23 per cent. In the course of five years, the overall percentage has gone up by only one per cent. It has gone up from 22 to 23 per cent. over-all In this connection it has come to my notice that the Railway Board are probably giving figures which are not accurate as will appear from page 48 of the second report. In the N. W. R. they have shown gazetted officers 246 and 256 whereas in this report, Part I. page 250 they have shown 252 and 262 Then again on the East Indian Railway they have shown total 253 and 254 on page 250.

The Honourable Sir Edward Benthall: There is a footnote saying,

Represents revised figures for 1943-44 due to changes made by Railway Administrations in the figures published last year

Mr. Muhammad Nauman: It has tallied in all the other railways except these two that I have quoted. The figures for all the other railways have not varied in any way except the East Indian and N. W Railways and I am afraid the explanation given by the Honourable Member is not correct, this is the specimen of the jugglery in figures that are supplied to us I quoted figures yesterday to show that in the gazetted ranks the position of the Muslims is 9·98 and then again as regards promotions you find on page 49 Muslims have been promoted 17·1 as against 67·1 Hindus and others getting their ratio in excess In spite of the assurances given by Government every year, they have not been able to do anything for us so far

Now, the great question which is facing the administration is the question of retrenchment I want to impress upon the House that during the war time in the name of efficiency, urgency and all sorts of pretext the Muslim quota was not observed In the matter of recruitment and promotions also you will notice that they have worked very adversely otherwise you will not have seen that in the gazetted ranks their position is only 9·98 per cent as in the subordinate lower gazetted grades Muslims are nearly eight per cent after a long agitation of nearly 20 years Why does it happen? In the matter of promotions, the Honourable Member and the Government have taken the stand that they cannot fix any quota, but we have been impressing upon them that their refusal to do so has been adversely affecting the Muslim nationals

Now, in the Selection Boards what happens is this Names are required to be sent by the heads of various departments. They do not send the names of a sufficient number of Muslims and even if they do send a few Muslim names, they send them with prejudicial confidential notes The specimen of this confidential note I may give you from the Railway Board's Fundamental Rules in which it is said that the officer concerned must report about the personality of the man and his capacity for work This, again, is a factor which cannot be measured except by whims and fancies of the officer giving the report. This confidential report guides the members of the Selection Boards in making their decision and choice. On the one hand, the number of Muslims who are sent is not in any reasonable proportion who appear before the Selection Boards and, on the other hand, along with their names is sent a confidential note which acts adversely against those who appear before the Selection Committee. That is the position which the Honourable Member should look into with great care

Now, speaking on the motion of the retrenchment, I want to impress this that we are not opposed to retrenchment as such but what we do say is this—and I made this very clear to the Honourable Member when I discussed with him this subject for a few minutes in Calcutta and then I wrote him a long letter—that the

percentage of the Muslims should be made up here and now. Supposing a particular railway, say, the Bengal and Assam Railway, require for their normal working 60,000 men in the Pre-war years and during the war, being a strategic railway, the number of their staff has swelled up to 120,000. Now, they feel that they cannot maintain 120,000 men and they might be compelled to reduce that number by, say, 30,000, men with the result that they will have only 90,000 men for their normal works which they may have now in hand. I have no quarrel with them if they maintain only 90,000 men or even less provided they show that they are keeping 45 per cent Muslims according to their quota on this Railway. The same applies to the other railways. If the quota of Muslims in any other Railway is 10, they should maintain it and we will have no quarrel with their retrenchment. In that case I have to impress that this retrenchment should work out separately in all the different categories. All the appointments of superannuated men which were made during the war should be treated as direct recruitment. Now, what I am told is that many direct recruitments are about to be treated as promotions by selection through the Selection Boards and manipulation are being made to do so. This, again, is a factor which will seriously affect the Muslim nationals and we would not allow that sort of manipulation at this stage. We only want to impress that all recruitments which were made by different Railways, either in the temporary or permanent categories, after 1942 should be treated as direct recruitment if such recruitments were made directly and percentage should be given to us in those recruitments according to quota and then an over-all percentage according to the quota given to us, should be made up here and now. If the Muslims are in excess of their number in any particular administration, they may be retrenched and we will have no quarrel on that score. That is the policy which ought to be made clear by the Government immediately. We notice that during the war and in the name of efficiency and urgency even the recruitment quota of Muslims was not maintained. This the Honourable Member can find out from the different records of the Bengal and Assam Railway and other railways. Probably, the members of the Resettlement Board will be able to give him the exact figure and can also give the Railway Board a statement showing how it has affected the position of the Muslims. By this cut motion we only want to impress upon the House that the Muslim quota and the Muslim share should be made up here and now and I hope my Honourable friends of the Congress Benches and other Groups will have no quarrel with that. They will not by any chance wish that we should not have our proper share. It will strengthen the hands of the Honourable the Railway Member if we say that it is the wish of all sections and group of the Members of this House that no share of any community should be given away to others we mean no encroachment on the rights and privileges of other nationals, such as, the Hindus and others. The Hindus should certainly get their quota which is by far the largest than that of any other community because they are a majority community, and at the same time, Government should certainly feel that when they have made it a rule by the Resolution of 1934 that 25 per cent posts should go to Muslims, the Muslims should get their proper quota made up at once. The Government must stick to it and see that the Muslim quota is made up here and now. I only want the assurance that when the question of retrenchment is being examined, it will be seen that the Muslim quota of 25 per cent is made up before the retrenchment plan is thought of. With these words I move my cut motion.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Re 1."

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Mr President, Sir, I would not have intervened in this discussion but for the fact that this cry of the Muslims is not restricted to appointments under the Railway Board but almost everywhere the same sad story is being repeated. Representation to me does not mean a certain percentage in the Legislative Assemblies of the country. Representation, as I understand it, is my proper share in the administration and all its aspects that go to make what is known as the

[Mr. Abdur Rahman Siddiqi]

country and the State. Sir, I shall not take long today, but so far as retrenchment is concerned, I would like the Honourable the War Transport Member to remember that when retrenching he should retrench only up to the percentage given to the Muslims. After that when he does want to retrench, he should retrench in the proportion of 1 to 4 or 1 to 10 or whatever the proportions be. It does not mean that when the Muslim reaches his 25 per cent., the rest of his brotherhood will be removed. In the removals also the ratios laid down by the Government of India Resolution shall be followed. If one Muslim is removed, it should be after three non-Muslims are removed. I am surprised that when they talk of merit, it is my unfortunate position that I am labelled as belonging to the unintelligent people, because it has never come into my experience that my Muslim brothers have exceeded their quota on merit. We are not a nation of donkeys, we are not a nation that is inferior to any other nation in the world. If others can exceed their quotas, I do not see why, in even a remote and singular instance my number is not allowed to be exceeded. Let me also feel that I possess the same intelligence, the same capacity and the same administrative ability as others. Sir, you must have noticed that the reply given by the Honourable Member on the cut motion we discussed before this, created the impression on my mind that the Railway Board is not yet clear in its own mind regarding the many aspects of railway administration. If contractors are good enough for two railways—and if they possess all the long list of qualifications read out to us, why not adopt the same system for all the lines. On the other hand, if you feel that it was good in a majority of lines, why not remove these two. If you talk of not finding capable men, then take the staff of the contractors. That will solve your difficulty in two minutes. Similarly here, if a half-hearted and unconvincing reply is given, we are not prepared to be satisfied. We are Indians and we want our share on merit as well as on numbers. If you stick to merit, then let our number also exceed sometimes. Otherwise population figures, according to what they have laid down, should be taken into consideration. You will agree with me, Sir, that one of the main reasons of our difficulties in India today is, to quote an aphorism, a question of loaves and fishes. The poor man in the country needs service as much as the richer ones. If this question of percentages in services were settled once and for all satisfactorily for the Muslims and other sections of the Indian population, I am hopeful enough to believe that almost 80 per cent. of our political difficulties will disappear. I should like to place this demand on a higher level than of mere percentages. If the Honourable Member is prepared to listen to our reasonable request, then we will perhaps be able, to solve the great problem of India, where its warring sections are at each others' throats, not for any big thing but to get their proper share in the administration of the country. The figures generally given by Government include menials and chaprasis and others so far as Muslim figures are concerned. Otherwise, our percentage would not be high. This is not fair. Let them give us our percentages in all the various grades of services. Sir, having been connected with the Corporation of Calcutta, where we demanded 26 per cent. in its services, I was faced with the figures that astounded me. We had got nearly 24 to 25 per cent, but when these figures were analysed, almost 23 per cent. of them went into chaprasis, durwans, motor drivers and various other varieties of lower grades of services. When we came to the higher grades, there were many sections in the service of the Corporation where the Muslim did not exist at all. Similarly, may I beg the Honourable Member in charge kindly to ask any statistician he may possess—and if he does not possess any, let him get some from the contractors of whom he is so fond—they will find, grade by grade, the number of Muslims. Give us our numbers and I feel almost satisfied that my quarrel with Honourable Members to my right will be settled in no time.

Khan Bahadur Zafar Hosain Khan (Government of India: Nominated official): Sir, the cut motion that we are actually discussing refers to the effect of retrenchment which reduces below 25 per cent. the accepted ratio. This evidently has

been mixed up with the question which is to come under the cut motion regarding the paucity of Muslims in railway services

Mr. Muhammad Nauman: May I explain, for one minute, Sir? We say that if retrenchment is not done on the lines that we suggest it is natural that the percentage of Muslims will shrink to less than 25 per cent

Khan Bahadur Zafar Hosain Khan: I shall briefly state what instructions have been given to railway administrations by the Railway Board

Mr. Abdur Rahman Siddiqi: But have they been followed?

Mr. President: Let the Honourable Member proceed

Khan Bahadur Zafar Hosain Khan: We expect they will be followed Steps have been taken by the Railway Board to see that the retrenchment of staff does not affect adversely the communal ratio fixed for minority communities and they are these.

The policy of the Government is that temporary employees shall be so discharged that the composition of the temporary staff retained in service is in accordance with the communal ratio prescribed for recruitment or as near thereto as possible. The instructions issued by the Railway Board to railway administration are based on this principle These lay down that the staff for discharge should be selected on the principle of length of service, but in doing so, steps must be taken that discharges do not adversely affect the minority communities on any railway. To ensure this proportion of numbers of these communities among those retained in service is to be according to prescribed quota

Now, Sir, the selection of men for the purpose of confirmation and retention in services and for discharges is to be made by committees formed for this purpose. It has been laid down that these committees should consist of three officers of which two should be Members of minority communities and one of them should be a Muslim. Honourable Members, I hope, will agree that all the necessary safeguards have been provided in the instructions issued to administrations to ensure that minority communities are not adversely affected Communal quotas are to be applied at all stages that is in the matter of confirmation of 30 per cent. of category B men, in the matter of recruitment of war service candidates to 70 per cent. vacancies reserved for them the discharge of men found surplus to requirements and in their ultimate absorption in railway services. Railways have been further instructed that if in filling 30 per cent. vacancies communal quotas cannot be achieved from the list of category B men, even by going lower down the list, the deficiency should be made good when recruiting war service candidates and if this also is not possible it should be made good from category C men, that is purely temporary staff and any deficiencies that still existed should be adjusted in future recruitment Moreover, where this procedure results in a shortage of persons belonging to minority communities in a particular category or unit, the shortage should be made good in other categories or units

These are, briefly, the instructions issued, and we expect that these instructions will be observed In fact from the latest information that we have from railway administrations regarding the formation of these selection committees, we find that our instructions are being observed, although we have not yet received any definite figures I hope that on this explanation the Honourable Member will withdraw the motion

Mr. Muhammad Nauman: May I ask a question? Has it been made clear that in maintaining the number of staff the over-all percentage will be 25 per cent including the temporary staff taken and those who are permanent?

Khan Bahadur Zafar Hosain Khan: Yes, Sir, except that if my Honourable friend means that the communal composition of staff is to be made up to the present quota of 25 per cent., this will necessarily mean encroachment on other communities' quotas; and that my Honourable friend said he did not wish.

Mr. Muhammad Nauman: My position is this. Supposing the B. & A. Railway want to maintain 90,000 people instead of their normal 60,000. We would

[Mr. Muhammad Nauman]

only want to know whether in that 90,000 you have got 41,000 Muslims or not It does not encroach on the rights of other people, and we do not want more than that.

Khan Bahadur Zafar Hosain Khan: Those are the instructions. All those men who will be retained in service will be retained according to the communal quotas prescribed

Mr. Abdur Rahman Siddiqi: Sir, in case a railway administration does not follow the instructions, has the Railway Board any machinery to supervise the action of these railways and see that instructions are carried out?

The Honourable Sir Edward Benthall: Yes, apart from anything else, my Honourable friend here is the machinery But may I just put one point? I understand from the subsequent questions put by my two Honourable friends that they are satisfied with the statement made by the Government Member and will therefore withdraw the motion If they are not satisfied I should like to ask another question.

Sir Mohammad Yamin Khan: Sir, I think this requires careful consideration and we have to examine the statement and its implications, which will take time. I submit, therefore, that if the motion is withdrawn it should not be taken as our consent to all that the Honourable Member has said and quoted against us We will examine it carefully and, if necessary make representations later on.

The Honourable Sir Edward Benthall: My difficulty is this Two Honourable Members there said that this was a question of loaves and fishes and that if they could be satisfied on this point it would help to solve many difficulties As everybody knows, the small Muslim percentage, below the percentage which they are now getting in recruitment, arises for historical reasons For exactly the same reasons why there are more European officers at the top than my Honourable friends would like, there are fewer Muslims on the railways than one would like, because in the past before the communal percentage was introduced there was no provision made for Muslims I understood from what my Honourable friend said in moving this motion, that he felt that the percentage should be made up out of turn and he had good reason to believe that the Congress party would agree to that

Mr. Muhammad Nauman: Yes, certainly

The Honourable Sir Edward Benthall: In order that we may have the full views of the House before us, I should like to know what the Congress party has to say on this matter.

Prof. N. G. Ranga: We have no views about communalism.

Mr. President: I think with regard to discussion on policy, the better course would be not to carry it on on a cut motion like this My reason for allowing a few questions and answers was to decide on the advisability or desirability of withdrawing the motion. My suggestion is—it is only a suggestion which parties may or may not accept—that in view of what has fallen from the Deputy President, and without committing the mover of the cut to accept the statement made by Government as final, the motion may be withdrawn for further consideration, unless the Leader of the House has any objection

The Honourable Sir Edward Benthall: I have no objection; I would be glad to have it withdrawn. But it would help us to know the views of the other parties in this matter.

Mr. Muhammad Nauman: Sir, an assurance has been given that the over-all percentage will be maintained. Our anxiety, as I have explained, is that in these peculiar circumstances of retrenchment the Muslim quota should be maintained. As I have got an assurance on that point I beg leave of the House to withdraw my motion.

The motion was by leave of the Assembly withdrawn.

Extensions to Superannuated Staff

Sir Mohammad Yamin Khan: Sir, I move.

That the demand under the head 'Railway Board' be reduced by Re 1

My intention is to discuss the question of giving extensions to superannuated ff against the views of this House expressed in past years Last year or the ar before an extension was given to a prominent member of the Railway Board r which this House criticised the War Transport Member The House then early laid down its view that no extensions should be given to superannuated ff because you thereby do an injustice to younger men In the past we have und that these extensions have injuriously affected some very good officers ne Government policy of course has been that during war time they could not spense with their experienced people, but now the war exigencies no longer ist and I do not know why some extensions have been given to superannuated ople this year I do not want to mention any names because it would be vidious to do so. Therefore I only criticize the policy of Government Sir we mand an assurance from the Government that this will never be done again, d it should remain an accepted policy of the Government that no extensions future should be given The Muslim League Party is moving this motion in der to invite the opinion of all the other parties on this subject and to impress on the Government that they should not give any more extensions to their uperannuated officers Sir, I move

Mr. President: Cut motion moved:

That the demand under the head 'Railway Board' be reduced by Re 1."

Mr. Frank R. Anthony (Nominated Non-Official): Sir I rise to support this otion. I have not very much to say on the matter except that I feel that all ections of the House who represent railway interests are united in asking the onourable the War Transport Member to put an end to this principle of giving xtensions of service to persons who have reached the age of superannuation peaking for railway personnel I can assure the Honourable the War Transport lember that there is an unanimous demand in this matter On previous easions I have conveyed to the railway authorities the very deep resentment hich has been caused particularly during the war by what was considered by ilwaymen as unnecessary extensions of service granted to men who had reached he age of superannuation. In the past the Honourable the War Transport lember justified it Perhaps he had some basis for justification on the ground at all war raised an emergency that owing to the expansion required as the esult of the strain imposed on the railways by the war he required an extension lso of experienced staff and in order to have this requisite stiffening in the ilway administration of experience, it was absolutely necessary for them to ive these extensions to their experienced officers at the top But that reason as completely disappeared today I feel that the strain imposed on the railway administration on account of the war has already eased to some extent and is going to ease progressively

Another very cogent reason against perpetuating a principle which has caused ot only resentment but also hardship is that you lost a number of experienced enior officers who volunteered for the railway military operating units I believe am right in saying that most, if not all, of these men have returned to the ailways. As my Honourable friend, Sir Mohammad Yamin has pointed out, t has operated very harshly against your senior men who have not reached the ge of superannuation. They have lost very considerably middle men with 0 to 25 years of service who had the right to expect that they should reach ertain appointments, because you gave extensions of service, did not reach hose appointments Not only have they lost in the matter of official position, hey have lost in the matter of emoluments; not having reached the position which they had the right to expect to reach they did not get increased emoluments More than that because they did not get the emoluments which they felt they were entitled to they were not able to make their proportionate contributions to the provident fund Only the other day I received a representation from

[Mr. Frank R. Anthony]

men on the N. W. R. complaining against what they considered as unjustifi policy of gratuitous extensions to men when they felt that they were sufficien senior and experienced staff to take over the administration at the top level

Mr. Muhammad Nauman: Sir, I do not like to take up much time of House. I will only say that this point of view was stressed in the House a fe years ago, namely that people of superannuated age should not be allowed continue in service any more.

[At this stage Mr. President vacated the Chair which was then occupied Mr. Deputy President (Sir Mohammad Yamin Khan)]

At that time, the administrative convenience was made a plea and it w suggested by all sections of the House that those people who had been employed after retirement should at least be asked to go immediately

Sir, I know of many instances where people in the lower and subordina staff of the Railways have already put in nearly 40 years of service, and they a still being allowed to continue. On the Oudh and Tirhut Railway, this is permanent feature. If you go there you will find that more than 20 per cent their staff have got longer than 30 years service I would request the Honourabl the War Transport Member to pay his attention particularly to this Railway wh are in the habit of maintaining staff after the age of 55 Nearly 20 per cent their staff in all grades is of superannuated age We are not only condemning th habit of the Railway Board in so far as it concerns officers in higher posts, b also those who are occupying lower positions—in the grades of 50 or 80 or 1 rupees all over India In a country like India, or for the matter of that an where, man has only a reasonable capacity to work at a certain age That humai factor cannot be forgotten It may be that a certain individual in spite of havin attained that age, may be considered fit medically or otherwise, but the rul cannot be changed to suit individual health or convenience Therefore, I wou impress upon the Railway Board to become more strict in this matter and to se that no one is allowed extension of service whether he is in a lower grade whether he is occupying a higher position With these few words I support th motion, and I hope the wishes of the House will be implemented by the Honou able the War Transport Member who was good enough to say that he will tr to do what the House wishes him to do in as much as it is practicable

Sjt. N. V. Gadgil: Sir, if further support is necessary, I say it is a good cause. Keeping superannuated people in service mars the future of young people. It was bad before the war, it has become worse now There absolutely no justification in giving further extensions, and I do hope the Goverr ment will accept this suggestion

The Honourable Sir Edward Benthall: I am in the happy position of sayin that I am in agreement with what my Honourable friends say and that th policy is already in operation I will just tell my Honourable friends wha has actually happened and what the position is.

During the war, as everybody knows, there was a very great expansion railway activity and in order to meet this we had to give extensions to a numbe of officers. It may be argued that we might have recruited numbers off youn men to the work, but it must be remembered that it takes three to six yea to train an officer before he is of any use at all and even then of course h has not got the experience which is so valuable when it comes to a pinch. I the middle of 1944, there were 128 officers on extension of service—that wa about the peak period I should think—but although the number seems large I do not believe that the hardships effected were as great as people imagir because of the very large number of temporary posts which were created an which were filled by people who would otherwise have been promoted by th retirement of the superannuated. I think a certain number undoubtedly di suffer, but those were mainly the people at the top who were held back by th non-superannuation of General Managers and so on

The Railway Department have always been conscious of the undesirability of the unpopularity of extensions although I may add, as regards the utility such officers, that it is a remarkable fact that as soon as any of our superannuated officers left, they were snapped up in Europe and some of them are running the railway transport in Germany and others in Austria. It does not mean that their period of useful service is over. So long as they are fit, they are perfectly capable of doing their duties. We were however responsive to the views of the House and took action as soon as ever it was possible, owing to the exigencies of the war, to do so. Even before the end of hostilities against the Japanese, we had begun to reduce the numbers so that in the middle of 1945, that is a year after mid-1944 when we had 128 officers, we had reduced the figure to 95 and to-day, February 1946, there are only 45 officers on extension and a number re-employed. Although we are following this policy, it does not mean that the work of the railways is any less and that we are not missing them. We are. There is a tremendous lot of work in connection with rehabilitation and new projects and for these new surveys alone we want 100 officers—100 posts temporarily. So we shall miss these officers and miss them very badly whenever they go. But the policy is to clamp down on extensions. In the autumn a decision was arrived at to stop extensions so as to ensure that there was no extension at all running after 31st December 1945.

Mr. Muhammad Nauman: Is this also with the subordinates?

The Honourable Sir Edward Benthall: As regards the subordinates, there are to be no extensions for non-gazetted staff and there will be no extensions to gazetted staff henceforward except in very exceptional cases. The only one I can think of is an officer given a couple of months extension in order to tide over the time until another officer comes back from leave. Even that will stop at the end of 1946.

Mr. Muhammad Nauman: What about special instructions to G. I. P. Railway?

The Honourable Sir Edward Benthall: It applies to all railways.

Mr. Muhammad Nauman: They are bad enough!

The Honourable Sir Edward Benthall: They have received instructions and therefore I think the demands of the House in this respect are being met.

Do I understand that my Honourable friend will withdraw the cut motion?

Mr. Deputy President: Has the Member who moved this cut motion leave of the House to withdraw it?

The cut motion was by leave of the Assembly withdrawn.

Non-Observance of Muslim Quota in Railway Services

Mr. Muhammad Nauman: Sir, I move

"That the demand under the head 'Railway Board' be reduced by Re. 1."

It will be more or less a repetition of the debate that we had on the question of retrenchment policy and I do not like to explain them at length once more. I would only just say that our experience of the last 40 years has been that in the matter of promotions, the Muslims have always been victimized and prejudiced by non-Muslim officers, and the number of Muslim officers have been so small that no safety of their interest could be guaranteed by the existence of the few who are there. I must explain how this happens. As the Honourable Members know that all these promotions are now arranged through Selection Committees which as a rule have got to have one member of the minority community in India. The wording is "whenever possible". Sometimes advantage is taken of these words "whenever possible" and the Muslim is not brought on the Selection Committee. At another time when he is brought, he is normally a very junior officer and is subordinate to those with whom he has to sit in the Selection Committee, with the result that he cannot have a free hand of offering an opinion upon the individual selection which is made. The next is the question of confidential reports what I have spoken

[Mr. Muhammad Nauman]

about earlier in the debate. What happens is that the number of Muslim staff sent for promotion before the Selection Committee is very small so fa as the Muslim subordinates are concerned. The Honourable Member for Wa Transport will remember that only last year I sent him a few telegrams an agitated against certain selections made from the subordinate service in th Bengal and Assam Railway to lower Gazetted services. Out of seventee selected, there was only one Muslim. This is an incident on a railway whic is expected to have 45 per cent Muslim quota. Whereas out of seventeen pro moted from the subordinate service to the lower gazetted service, only on Muslim was taken; although I sent telegrams to the Honourable Member i the Railway Board in this connection and probably enquiries were made late on, but the list was never turned down and it was expected that in futur probably that will be made up which has not happened so far. I have jus shown you from the report that even this year in the 1945 report, the promo tions which have been made from the subordinate to the lower gazetted ser vice Muslims were given only 17 per cent. Unless some method is adopte and a guarantee is given that the Muslims will be given a fair deal, it is no possible that we should expect a change. You have noticed, Sir, that althoug the resolution of 1934 has been in existence, in the matter of recruitment w find that out of the total number the percentage of Muslims in the lowe gazetted service and the superior service is no more than eight per cent and 9 9 per cent., an improvement of four and five per cent. in ten years, and I do no know what time it will take before we can reach 25 per cent quota. This is the most peculiar position which I wish to bring to your notice.

In the matter of collieries, you will find that Mr. Stenton, Manager of the Collieries in Giridih, has been given three extensions although he was condemned in 1938 for gross miscarriage of justice and who was utterly incompetent because a lot of deaths and accidents occurred during his time in 1938 and he was responsible for the loss of Government property in that year as well. There are Muslim officers and Hindu officers known to me but they are not being given a chance because this gentleman is being given extensions. You will be surprised to hear that out of the twelve managers of these collieries, none happens to be a Muslim; not that he does not happen to be a Muslim today, but there has not been a Muslim since the inception of the railways in the collieries which are being owned by the railways, whereas there has been an instance where one Mr. Diwan, a junior man has been promoted as the Manager of the Burma collieries owned by the State company. This position has, to be very seriously considered and by moving these cuts we only want to impress that although the Muslim representatives in this House have been placing their cases from 1926 onwards and Government has given all sorts of guarantees and assurances to Muslims nothing appreciable has come so far and things have not improved in any manner anywhere.

Mr. Deputy President: Cut motion moved

"That the demand under the head 'Railway Board' be reduced by Re 1."

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions Muhammadan Rural): Sir, I do not like to give any information of my own but I would only read the figures supplied by the Railway Board in their Administration Report which has just been published. On page 49 we have got the figures of direct recruitment. 82 officers have been appointed and according to the resolution of the Home Department 25 per cent ought to have been Muslims but we find only 14. Then a note is added saying that the shortage of Muslim recruitment was due to the requisite number of qualified Muslim candidates not being forthcoming for appointment in the Engineering and Stores Department. This is a point which I should like to explain. They say that qualified Muslim engineers are not forthcoming. I may point out that the case of the engineering services among the Muslims now is very much different from what it used to be some years ago. My friend and in fact the whole House would be surprised if I tell them that during the last four years the Aligarh University has turned out as many graduates in engineering as all the engineering colleges all over India during the last 65 years. I have got the figures from 1882 to 1945. The number of engineering graduates which were

produced by all the engineering colleges in India were about the same which we have produced in the last four years in the Aligarh University.

As regards their qualifications I may tell the House that in the open competitive examination held by the Government of India in the selections for foreign scholarships the Aligarh University Engineering College got the maximum number. As regards efficiency nobody can question them, because it has been decided in open competition in the selection for European scholarship. The difficulty has been that there have been no opportunities for admission in the engineering colleges. Therefore it is not that the Muslims are not capable of learning the profession of engineering but because people were not willing to admit them. It was pointed out repeatedly on the floor of the House ten years ago, before we opened our own engineering college, that Muslims cannot join the engineering profession because they were weak in mathematics. It is amusing that this argument was urged before me. When we advertised for our first admission in the Aligarh University I got 500 applications and every one of them was qualified for admission in engineering college. All of them had passed the intermediate in science with engineering group and hundred of them had taken the B Sc degree. We could only admit 50. On account of the war we had accelerated our courses and we have produced a very large number of engineering graduates, all of whom have got appointments and many of them have won scholarships. Therefore to say, as the writer of the Railway administration has bluffed, that Muslims are not available for the engineering service I think you will find Muslims available for all the posts, provided the desire to appoint them is not wanting. They have not the same opportunities for getting appointments. This argument which they have advanced ought to be corrected and modified. If they had said that the appointing authority had no desire to appoint Muslims, then it would have been more correct.

The story is much worse when I read the report further. In the same page in the case of promotions, which my friend also raised sometime ago, I find in the lower gazetted service only one Muslim out of 25 which is only 4 per cent., instead of 25 per cent. You find also that in the case of the superior services, the case is equally bad. I know a great deal about these selections. Selection depends very much upon the people who select. It depends upon the manner in which the case is presented. Probably my friend will be amused if I tell him that once Lord Meston, the Governor of the U. P., asked the Vice Chancellor of the Allahabad University to recommend two persons for the post of Deputy Collector. The Vice Chancellor prepared a chart in which he put down the marks for various qualifications of each candidate and he showed that the first 8 were non-Muslims and the 9th place was given to a Muslim. I asked the Governor to give me all these applications so that I might scrutinise the marking. Instead of giving 10 marks for passing the high school examination, 10 for passing the intermediate examination and so many marks for other qualifications I rearranged the marking by allotting marks for character, personal appearance, family services, with the result that the first three were Muslims. It all depends upon the selecting authority. They can adopt any manner of selection by means of which a desired candidate can always be put first. If you have any doubts give me the papers and I will rearrange the marks and put first the candidate whom I like. The fact is that the appointing authority had no desire to appoint Muslims.

I have said repeatedly on the floor of the House that in the case of selection sometimes they fix seniority and sometimes efficiency as criterion for selection. The criterion of seniority or efficiency is adopted to reject Muslim candidates. If a Muslim happened to be senior, then selection is made on the principle of efficiency and if the Muslim candidate is efficient, then selection is made on the criterion of seniority. It is for this reason that my friend Mr. Nauman and other members from this side always press "Please determine the percentage in the case of promotions also". Simply to say that we select the best men will not do. Fix the percentage for both Hindus and Muslims, the same percentage which you have fixed in the case of direct recruit-

[Dr. Sir Zia Uddin Ahmad]

Now I turn over the next page of the administration report, the story is still worse. On next page I we find the recruitment of both the superior and lower gazetted officers. The position of Muslims there is very poor, certainly it has not improved. We find on page 50 of this report that the percentage of Muslims in the superior and lower gazetted service is 9·98. This is very low and ought to be stepped up. I do not know whether my friend Khan Bahadur Zafar Hossain Khan is a member of the Railway Board or not—but I did not understand at the time he replied to my question about retrenchment and I wish he clears it now. Supposing there are 100 persons in service; and the percentage of Muslims at that particular time is not 25, but is 20 only, will he retrench Muslims still further so that their percentage may become lower still or will he refrain from retrenching Muslims till the percentage rises to 25? I want to have a reply as I did not exactly grasp his point. What did he mean?

Khan Bahadur Zafar Hosain Khan: No I did not say that all Muslims will be retained in service because that will mean encroachment on the quota of other communities Muslims will get their own quota in the number of employees that will be retained in service

Dr. Sir Zia Uddin Ahmad: I do not grasp his point. Suppose the percentage of Muslims is 20 instead of 25, will you see that Muslims are not retrenched till their quota goes up to 25?

Khan Bahadur Zafar Hosain Khan: In the number of people who will be retained in service. Muslims will be retained to the extent of 25 per cent., which is their quota

Dr. Sir Zia Uddin Ahmad: My Honourable friend talks of injustice to other communities. I do not know whether he has ever seen the figures that we have calculated, because the Muslims are not getting 25 per cent, the net loss to the Muslim community is now Rs 7 crores every year. Has his attention been drawn to the fact that injustice is being done to the Muslims? He is talking about injustice to other communities But here grave injustice is being done to the Muslims; and if he is not familiar with these figures, he can calculate himself. We are losing at the rate of 7 crores a year because justice is not being done to the Muslims. You are not prepared to do justice to the Muslims and you are talking of injustice to the other communities

The story does not end here. On the next page also you will find that in scales of salary rising to Rs 200 the position of Muslims is equally bad—it is 8 76 per cent It ought to have been 25. Just calculate what is the loss to the Muslims in not having 25 per cent. It is simple arithmetic which my Honourable friend can calculate for himself Take the percentage of services every year and find out the deficiency and prepare the Budget of the loss t Muslims in the case of services alone—I do not talk of the losses in terms of contracts and various other things.

When we come to the other classes you will find that the position is approximately the same. On the next page, page 52, we find that the percentage is 9·98. No doubt it has slightly increased since 1934 but there is still a good deal to be made up. When you come to the other classes you find also that it is 8 76. If you turn over the pages you will find that the position of the Muslims is still worse Now, I take this simple method of calculation: take the percentage of Muslims, it ought to have been 25 per cent ; take the difference and multiply it by the number and salaries and you will get the figures of loss to the Muslim community which will work up to seven crores I press that the Railway Board ought not do justice only to other communities but the other communities should also include the Muslims and they ought to do justice to the Muslims as well We want really to be very fair to the other communities, but I think it is very desirable that we learn to live and let live. By this method alone there will be peace and there can be good understanding; but people desire that they should live and not allow the others to live, then

there will always be want of equilibrium, there will always be misunderstanding. If this principle of live and let live be adopted in general, then probably all the political trouble that we are now facing may disappear . . . .

Mr. Deputy President: The Honourable Member has got one minute more.

Dr. Sir Zia Uddin Ahmad: I have not developed even half of my arguments. I will probably have to leave them over for some other occasion.

Mr. Deputy President: If the House agrees, probably he may take some more time.

Dr. Sir Zia Uddin Ahmad: If therefore we draw up the balance sheet the loss which we are suffering on account of the injustice done to us, it seems desirable that some justice should be done now. We do not want any special favour, but we want only bare justice. We do not want repayment of previous losses that we have been suffering during the last ninety years. We repudiate all our debts and do not harp as we do in case of sterling balances. But at least in future I think justice should be done to us. Let the justice be done—give 25 per cent all round. Do not retrench any Muslims till 25 per cent is completed, and then you can go on retrenching as many as you like.

Mr. Abdur Rahman Siddiqi: Mr. Deputy President, what I said with regard to cut motion N. 11 applies *mutatis mutandis* to recruitment, promotion, superannuation and all the other aspects of railway administration in India. I would not have spoken on this resolution but the fear with which the Honourable the War Transport Member talked has induced me to find out from him whether he considers us talking from these benches, as beggars or as people who demand their rightful share in the administration. It was the Government of India that decided the proportions. The Home Department published its Resolution and now when we ask him to ask the Railway Board to behave properly and carry out the instructions contained in that Resolution he stands up and talks to us sweetly and with suavity and suggests as if what we are saying is really correct and that he would do us justice. But when he got up and demanded from the House whether Honourable Members belonging to the Congress Party agreed or did not agree with what we were talking, I felt as if he did not intend to carry out even the half-hearted promise which he and his assistant had made. We are demanding our representation in railway services according to that Resolution. Whether the Congress agrees with it, whether the Anglo-Indians and the other minorities agree with our demand or not is not the point. Are you prepared to issue instructions and even commands to the Railway Board to give to the Muslims what the Government of India has agreed to give them? Has the Congress said something which made him suggest . . .

The Honourable Sir Edward Benthall: The Honourable Member was asking for something more than that. That is why we wanted the views of the other people.

Mr. Abdur Rahman Siddiqi: We have been talking of the Resolution of the Home Department. Asking for more was because the argument of merit is inflicted into our faces every time and that argument of merit never works in my favour. I do not want more if I am given what is my due. I shall be satisfied. But to ask X to say 'yes', to ask Y to agree with him and so on and so forth does create a doubt in my mind whether the assurances being given and the requests being made for withdrawal of these cut motions is sincere or otherwise.

Whether these cut motions will have any effect is again a doubtful point but when he asked the Congress spokesman to agree to what we are demanding he was almost giving up the ghost. He was almost crushing the paper on which that Resolution is printed or typed and throwing it into waste paper basket. That was not doing us either justice or playing fair to us. If our demand is according to your policy, please say so. If we are wrong, please tell us where we are wrong. If you cannot find out of this nation of donkeys, as you have labelled it, enough people to fill your services, let them go.

[Mr. Abdur Rahman Siddiqi]

Find the men with the necessary qualifications. Our demand is based on justice and should not be played with.

Khan Bahadur Zafar Hosain Khan: The speeches delivered by my Honourable friends seem to imply that the Railway Board have been guilty of not implementing the instructions issued by the Government of India with regard to communal proportion to be observed in recruitment to the railway services. I shall now briefly explain the position in regard to the recruitment to the superior services.

As Honourable Members are aware, the recruitment to the superior services is made not by the Railway Board, not by any Railway administration but through the Federal Public Service Commission and by means of a competitive examination. In the last 11 years, Muslims had actually obtained a percentage of 23·9 as against 25 which is their quota. The reason for the deficiency is to be found not in any deliberate intention on the part of the Railway Board not to carry out the intentions of Government but in the fact that qualified Muslim candidates are not forthcoming. I will quote only one instance, relating to the year 1944-45, in which year the number of Muslims who qualified at the competitive examination for recruitment to the Engineering and Stores Departments was much less than the number of vacancies allotted to this community. This examination was held by the Federal Public Service Commission and not by the Railway Board. In the Stores Department, we wanted three Muslims. We got none. The deficiency in the vacancies was carried over to the next year.

Mr. Abdur Rahman Siddiqi: Not made up in other sections?

Khan Bahadur Zafar Hosain Khan: I am coming to that.

Mr. Muhammad Nauman: May I know whether in the Public Service Commission the Railway Board has a representative as an expert and did he insist on the communal quota being made up then and there?

Khan Bahadur Zafar Hosain Khan: A member of the department to which recruitment is made is always on the Commission to help the Federal Public Service Commission.

Mr. Muhammad Nauman: What is he for?

Khan Bahadur Zafar Hosain Khan: He is there to see that the men selected are qualified for railway service. In the Engineering Department we wanted six Muslims. We got only 3. The deficiency in this department was made up by recruiting two more men in the Traffic and Commercial Departments and one in the Indian Railway Accounts Service. By this means, we were able just to make up the deficiency in the Engineering Department. Muslims, however, have not done so badly on the whole because their proportion which was 4·67 in 1934 has more than doubled itself and was 9·98 in 1945.

Mr. Muhammad Nauman: In 11 years?

Khan Bahadur Zafar Hosain Khan: Yes. Great care is exercised in the observance of the communal quotas for various communities and if we are not able to fill any vacancy allotted to a minority community in any year it is carried forward to the following year. But if we cannot make up the deficiency in the next year also, the reservation lapses under the existing rules. No vacancy reserved for a Muslim has been filled by a member of any other community except only in those cases when qualified Muslim candidates could not be found.

Mr. Muhammad Nauman: Have they not lapsed on many occasions?

Khan Bahadur Zafar Hosain Khan: If in the second year, we are not able to find any qualified Muslim candidates, the vacancy lapses. As I have already said the charge for there being a deficiency in the Muslim recruitment to the superior services cannot really be laid at the door of Government, and this complaint could more appropriately be addressed to my Honourable friend to Dr. Sir Zia Uddin Ahmad (whom I do not see in the House at the moment)

who may be asked to see that Muslim young men with the required qualifications and in sufficient numbers come forward to compete in the various competitive examinations held by the Federal Public Service Commission.

With regard to the lower gazetted service, Government spokesmen have frequently stated in this House that this service is filled by promotion and it is the settled policy of Government that the rules regarding communal reservations will not apply to these promotions. The small number of Muslims in this service is due to the dearth of Muslims in the upper subordinate ranks on Railways.

Mr. Muhammad Nauman: May I ask one question? In the subordinate service you fill by promotion only 80 and 20 per cent. by direct recruitment.

Khan Bahadur Zafar Hosain Khan: Recently we have filled all our appointments to the lower gazetted service by promotion.

Mr. Muhammad Nauman: Was it not the practice to fill 20 per cent. through recruitment?

Khan Bahadur Zafar Hosain Khan: I am afraid I cannot answer that question straight away.

Mr. Muhammad Nauman: Will the Honourable Member look into?

Khan Bahadur Zafar Hosain Khan: Yes, Sir. The deficiency of Muslims in the lower gazetted service can only be corrected in course of time and now that Muslims with the requisite qualifications are joining the subordinate service in sufficient numbers there are indications that more Muslims will gradually become available for promotion to this service.

In this connection I would refer Honourable Members to the statements in Chapter VII, page 52 of Volume I of the Report by the Railway Board for 1944-45, from which my friend Mr. Nauman quoted, from which it will be observed that the proportion of Muslims occupying posts on scales of pay rising to Rs. 250 a month and over on the old scales and Rs. 200 on the new scales of pay has risen from 4·84 in 1934 to 8·76 in 1945.

With regard to the subordinate services, it is true that in the last three years Muslims have not obtained the stipulated 25 per cent. quota. The main reason has been, as has already been mentioned to the House by the Honourable the War Transport Member, the poor response to advertisement issued in connection with recruitment to Railway Subordinate Services and this is attributed to Muslims having joined the Fighting Forces and other work connected with the war in greater numbers. All Railway Administrations have experienced this difficulty including the North Western Railway where the recruitment to Subordinate Services is made not by the Railway Administration but by an outside body, namely, the North Western Railway Service Commission. Their position, however, has been steadily improving since 1934. Their percentage in the permanent Railway Subordinate services on the 31st March 1935 was 16·67, which increased to 20·2 on the 31st March 1945. It is hoped that among the war service candidates greater proportion of Muslims will be found to make up the deficiency of these years. The Railway Board exercises a fairly strict check over recruitment figures submitted by Railway Administrations and Railways which failed to make up their communal quotas have had their attention drawn to this fact with instructions to make every effort to rectify the deficiency in the succeeding year.

Then I think it was my Honourable friend Mr. Nauman who mentioned that in the Selection Committees they have a junior officer who is subordinate to other officers on the Committees. That, Sir, is not a fact. There are strict instructions that on the Selection Committees no one member should be subordinate to the other. I hope, Sir, with this explanation the Honourable Member will withdraw his cut motion.

Khan Bahadur Hafiz M. Ghazanfarulla (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, according to the rules of the recruitment, there is a machinery to look after the recruitment in a proper way. My submission is that the supervision to look after that machinery must be done in a proper way.

[Khan Bahadur Hafiz M. Ghazanfarulla.]

I want that there should be somebody to look after the running of this machinery properly. It has been said that according to Rule 72 of the State Railways three persons are to be appointed to the Selection Committees. But I have seen that they are not of equal ranks. That is the case in many Divisions. The result is that the function of the selection of candidates is not carried out properly by these Committees. Generally, it is the Divisional Personal Assistant who selects the men for interview and as he is sometimes communal-minded, he takes only those Muslims who are very inferior in education with the result that at the time of interview they are rejected. It should not be so. If all the three members of the Selection Committee are of the same rank, this will not happen. The other thing is that the Divisional Superintendent has to ask one of these three to work as the Chairman of the Selection Committee. That must be carried out properly. According to recruitment rules the committee of 3 should consist one from minority community "wherever possible"; the words "wherever possible" must be removed from the rules. There should be one member from the Muslim community so that no injustice may be done at the time of selection. With these remarks I support the motion for cut.

Mr. Muhammad Nauman: May I ask one question of the Honourable Member? The Honourable Member has just said on behalf of the Government that there is a machinery in the Railway Board which keeps a regular watch that the communal quota is being maintained in the matter of recruitment. Is there any other machinery which equally keeps a watch that in the matter of dismissals and discharges the number of Muslims is not going down? What happens is this. It is like a jar with a hole. It may be that in the matter of recruitment the Muslims are given 25 per cent. but in the matter of discharges their number may be very large. If you see the whole year's recruitment of any particular railway, you will find that Muslims have been discharged probably to the tune of 50 per cent with the result that the communal quota cannot be made up in the long run, whether it is 100 years or a thousand years. Is there any machinery to watch that point?

The Honourable Sir Edward Benthall: Well, Sir, as regards that point, we do not keep any figures of discharges, but we do keep the figures of the net result, which means the recruitment less discharges. We watch the alterations year by year. In addition, of course, to the Railway Board and myself watching these figures of recruitment, the Home Department, in order to supervise the Resolution of 1934, also watch to see that the proper percentages of the minority communities are observed.

Mr. Muhammad Nauman: I quite appreciate that. Does not the Honourable Member appreciate the fact that although the recruitment may be correct, the Muslim position will not improve unless some check is maintained also in the matter of dismissals and discharges? You will notice that in spite of the best efforts the Muslim position has not improved in Railway services. For instance, within 10 years they have only improved by 5 per cent., although the number of staff employed on the railways was about 7 lakhs in normal years and it has now gone up to 9,62,000. Still, the percentage of Muslims has not improved. Why it is so?

The Honourable Sir Edward Benthall: I will look into the matter and see whether any further machinery is necessary to watch dismissals.

Raja Sir Saiyid Ahmad Ali Khan Alvi (Nominated Non-Official): Sir, I do not think it can be said that proper Muslims are not forthcoming and in Railway services Muslims were not recruited because properly qualified people were not available. When I was Minister of Education, the same thing was told to me. But when I got the files and examined them with the Director of Public Instruction, I found that 5 persons were quite competent to hold that post and three of them were appointed by me at that time. I believe that if there is a will there must be a way. Most of these people do not realise that by keeping a

particular community above par they are not doing any service to that community. If both the communities go up, most of this estrangement will go and they will live happily together. To my mind, I think the story about the Railway Department, so far as the Muslim community is concerned, is the same story which you can hear anywhere else. Even the illiterate people say that the Railway Board has got no liking for the Muslims. I think my Honourable friend, Sir Edward Benthall, whom I know very well, wants to do good, but he can only formulate the policy. Those who carry out that policy are not willing to carry it out properly. So, there should be some kind of a Welfare Committee to look after the interests of the minority communities. From the figures that have been given, it appears that the ratio of Muslims has been only doubled in ten years' time in spite of all these war measures when so many more persons were required. I think it was not very difficult to get the qualified Muslims to fill up the fixed quota. But I know the handicaps that are there. I have been myself recommending people to different Departments but I am sorry to say that most of my recommendations to the Railway Board have been turned down. I think only one recommendation was accepted. This is not the case with other Departments. I hope my Honourable friend Sir Edward Benthall will look into this thing and in his answer he will give me an account of what has been done. But if this Welfare Committee is not appointed, I am afraid this thing will continue to be done in the same way as in the past years. The Railway Board ought to know that, after all, the public consists of both the communities and other communities and each one of them should have its proper share. What they want is their legitimate share and it should be given to them with a smiling face. If what they want is more than their share, they should be told: "No, you cannot have it and we will not give it to you. It is more than what has been your due share which you now want."

The Honourable Sir Edward Benthall: Sir, I do not think the Honourable Member expects any reply except to say that I will give my personal attention to these things. It is our constant aim to try to keep up to these figures. Apart from anything else and to put it on the lowest level, if we do not keep up the quota, we get into trouble with Honourable Members in this House. Therefore we like to see that the figures reach the percentage, because then we feel that they are satisfied and we get less trouble. I can assure my Honourable friends that we do try and implement this percentage both in numbers and in spirit.

Raja Sir Saiyid Ahmad Ali Khan Alvi: It is good so far as it goes, but what we want is we should get a Welfare Committee to look after the interest of the Muslims in this matter. On that point, I want a definite answer from the Honourable Member. If the Honourable Member cannot give an answer immediately, he can look into the matter and let us know later on. I do not want the Honourable Member to commit himself here and now.

The Honourable Sir Edward Benthall: I am very sorry I cannot promise him an answer straight away on this question of a Welfare Committee. We have from time to time considered various steps for further checking up the machinery. But whatever machinery is set up will have to be a machinery to cover the whole of the Government. We have in our Railway Board itself a machinery for watching these figures of recruitment. Obviously if you want anything else, you want it to be something which covers all the Departments of the Government, and to be outside any particular Department. Therefore if anything is to be set up, probably it must be something under the Home Department. But in view of the fact that until recently, under war circumstances, the percentages have been satisfactorily filled, there has not been really any case for such a bit of machinery. That is why in the past, although it has been examined several times, we have come finally to the conclusion that the machinery in existence was adequate. To be frank, what is wanted is better qualified applicants for the posts which we find some difficulty in filling up, for instance, in the

[Sir Edward Benthall.]

case of posts for the Engineering Department. In that lies the real solution. I can assure my Honourable friend that anything we can do to help the community in that way, we shall certainly do.

Mr. Muhammad Nauman: Sir, in view of the assurance that the Honourable Member has given that he will also look into the matter of dismissals and discharges and see that even if the recruitments are made up according to the quota, why Muslims do not improve to any appreciable degree and in view of this assurance that he would look into these matters himself, I do not want to press the motion to a Division and I beg leave to withdraw the motion.

The motion was by leave of the Assembly withdrawn.

Mr. Deputy President: According to the arrangement arrived at among the Parties, today was allotted for the Muslim League Party. All the cut motions have been debated and there is no other cut motion to be taken up. I understand that a request has been made that some Honourable Members of the European Group want to send in some other Cuts. Well, that is not for the Chair to decide at this time. This may be arranged in consultation with all the Parties and cut motions may be put up before the Honourable the President tomorrow morning. At that time, if he finds that there is general agreement among the Parties, he will come to a decision. I cannot foretell what his decision will be and what the arrangement of the Parties would be. Therefore, I cannot say anything in respect of that at this time. I think it is open to the European Group to negotiate with other parties.

As there is no other business, the House will now adjourn till eleven of the Clock tomorrow.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 27th February, 1946.

APPENDIX

INTERIM REPORT OF THE COMMITTEE ON THE BRETTON WOODS CONFERENCE AGREEMENTS

The motion adopted by the House at its meeting held on the 29th January, 1946 in substitution of the motion moved by the Honourable the Finance Member on the previous day asking for ratification of the action of Government in adhering to the Bretton Woods Agreements as an original member proposed *inter alia* "that in order to determine what steps should now be taken a Committee of this House consisting of nine members be elected to go into this question and report at an early date to this House and pending consideration by this Assembly of such Report no further action be taken by this Government in respect of the said Fund or Bank". We, the undersigned, members of the Committee to which the above matter was referred, have considered the subject and have the honour to submit below our interim Report containing our recommendations

(1) We strongly endorse the statement made in the course of the recent debate by the Honourable the Finance Member that India is not bound in any way by the terms of the Anglo-American Loan Agreement of December, 1945

(2) In our view the final decision whether it would be to India's advantage to remain a member of the Bretton Woods institutions may be determined to a very considerable extent by the outcome of the negotiations which His Majesty's Government are committed to undertake with the Government of India on the subject of liquidation of sterling credits. If these negotiations are unduly delayed, it may be necessary for India to withdraw before these negotiations take place, because it may happen that India will be called upon under the Agreement to undertake commitments which she may feel unable to shoulder in the absence of a satisfactory solution of the sterling credits. Similarly, it may be necessary for India to withdraw from the International Monetary Fund and the International Bank in case the proposals of His Majesty's Government for the settlement of sterling balances are not satisfactory to India. Apprehensions in this regard were voiced in the course of discussions in the Committee, owing to certain speeches by eminent men in England advocating the scaling down of sterling balances, and we are assured in this connection by the Honourable the Finance Member that nothing has happened since the authoritative pronouncement made by Lord Keynes, Head of the U K. Delegation at the Bretton Woods Monetary Conference in response to the demand of the Indian Delegation for an assurance on the subject, to diminish in any manner the authority or force of that statement. Nevertheless, in order to allay the anxieties which have been caused by certain statements in Parliament and in the British press we would welcome an early and authoritative reassurance by His Majesty's Government on this point and the fixing of a date for negotiations with the least possible delay.

(3) We are also informed by the Honourable the Finance Member that sections 40 and 41 of the Reserve Bank of India Act, 1934, under which the Bank is legally compelled to give rupees for sterling and to accumulate sterling against the issue of rupees will be amended as part of the action that will be taken to implement adherence to the International Monetary Fund Agreement.

(4) We recommend to the Assembly that Government may be authorised to appoint a Governor and an alternate and Executive Directors and alternates, when this is necessary, but no further financial commitments should be undertaken by Government with regard to the Fund or the Bank before the matter has been further considered by the Committee. The Committee should be summoned again to have a report from the Governor on his return from the first meetings of the Boards of Governors of the Fund and the Bank; we expect that he may be able to bring additional information bearing on the probable scope and manner of operations of these international institutions in relation to the requirements of this country, which may assist the committee in arriving at a considered recommendation to the Assembly on the question of continuance or discontinuance of membership.

* A. ROWLANDS.

GEOFFREY W. TYSON.

B. K. MADAN.

*K. C. NEOGY.

*N. V. GADGIL.

*M. ANANTHASAYANAM AYYANGAR.

*MANU SUBEDAR.

YUSUF A. HAROON.

ZIA UDDIN AHMAD.

NEW DELHI;

The 26th February, 1946

*Subject to a Supplementary note.

SUPPLEMENTARY NOTE TO THE INTERIM REPORT OF THE COMMITTEE ON THE BRETTON WOODS CONFERENCE AGREEMENTS

With reference to paragraph (3) of the interim report, we should like to add the following :—

Apart from India's membership of Bretton Wood's Institutions the question of amending the Reserve Bank Act, 1934, has assumed very great importance as there is a continuous addition to our sterling balances We think that Government should act promptly to put a stop to these accumulations by amending relevant sections of the Reserve Bank Act, 1934, or otherwise. The accumulated balances are already a great problem and we do not want them to become more difficult and disadvantageous to India

MANU SUBEDAR.

M. ANANTHASAYANAM AYYANGAR.

K. C. NEOGY.

N V. GADGIL

NEW DELHI;

The 26th February, 1946.

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LEGISLATIVE ASSEMBLY DEBATES

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LEGISLATIVE ASSEMBLY

Wednesday, 27th February, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS†.

WRITTEN ANSWERS

YARN SUPPLIES TO HANDLOOM WEAVERS OF THE MADRAS PRESIDENCY

533. ***Prof. N. G. Ranga:** Will the Honourable Member for Industries and Supplies be pleased to state:

(a) if it is a fact that yarn supplies to handloom weavers of the Madras Presidency have been cut down to nearly 50 per cent.;

(b) whether as a result there is a very great scarcity of cloth supply in South India;

(c) whether the prices of cloth have gone up to prohibitive heights both in the open and black markets; and

(d) what steps are being taken by Government to augment the supplies of yarn-Indian or imported to the weavers?

The Honourable Mr. A. A. Waugh: (a) No, Sir. The Honourable Member presumably refers to the reduction in the quota of yarn for Madras under the Yarn Distribution Scheme effected in October last. Other Provincial Governments had protested that Madras was receiving a higher quota of yarn than she was entitled to on the basis of her proportionate pre-war consumption. The yarn quota for Madras was therefore reduced in October to 21,574 bales a month. The average consumption by Madras during the preceding twelve months was 23,711 bales a month

(b) No, Sir. The *per capita* cloth quota for Madras was raised in October last from 10 yards to 12 yards. So far as known, the cloth supply position in South India is no better and no worse than in other parts of India.

(c) Not in the open market. Government have no information about black market prices, but have no reason to think there is any widespread black marketing of cloth.

(d) Government have endeavoured to increase mill production of cotton yarn by securing essential requirements of millstores and coal. At the time they introduced their yarn distribution scheme, in April last, the average monthly availability of "free" yarn was 76,000 bales The monthly average is now 83,000 bales Exports of yarn, which in 1945, totalled 5,280 tons, have been reduced in the current half-year to 298 tons.

SUPPLY AND DISTRIBUTION OF KEROSINE OIL

534. ***Prof. N. G. Ranga:** Will the Honourable Member for Industries and Supplies be pleased to state:

(a) the latest position regarding the supply of kerosine oil;

(b) when the present restrictions upon the supply and distribution of kerosine oil will be ended; and

(c) whether the ration of the oil for rural areas can be liberalised within the next month or two?

The Honourable Mr. A. A. Waugh: (a) Releases of Kerosine Oil to all supply areas have been increased during February 1946 from 50 per cent. to 65 per cent. of the level of consumption in 1941.

(b) As soon as the supply and Tanker position permits.

(c) This is a matter for the Provincial and State Governments who are responsible for the internal distribution of Kerosine Oil.

†The question hour for the day having been dispensed with the answers were laid on the table of the House.—*Ed. of D.*

INDIA'S REPRESENTATIVES IN UNITED NATIONS ASSEMBLY

535. *Prof. N. G. Ranga: (a) Will the Foreign Secretary be pleased to state what exactly is the status allotted to, or obtained by, India in the United Nations Assembly as compared to Arjentina, Mexico, Brazil in Latin America or France or China?

(b) How many representatives and advisers is India entitled to?

(c) Are any general instructions issued by the Government of India to our delegation?

(d) Are the same given in consultation with, or independently of the British Government?

(e) Is it a fact that the Indian representative has declined to accept the Vice-presidentship? If so, why?

(f) What exactly was the position sought by India in the Assembly?

Mr. H. Weightman: The answers which follow are given in belief that the Honourable Member is referring to the General Assembly of the United Nations.

(a) The status of India in the General Assembly of the United Nations is the same as that of the countries mentioned by the Honourable Member and of all other member nations.

(b) India like all members of the General Assembly is entitled to five representatives. There is no limit to the number of Advisers.

(c) General instructions were given to the delegation.

(d) The general instructions were given independently of His Majesty's Government.

(e) No.

(f) No special position was sought.

LICENCES UNDER DRUGS CONTROL ORDER

536. *Prof. N. G. Ranga: (a) Will the Honourable Member for Industries and Supplies be pleased to state if it is a fact that the Government of India introduced a schedule "C" to the Drugs Control Order with a view to making a distinction between a whole time chemist and an oilman stores dealing in medicines?

(b) When was the order issued?

(c) How many oilman stores had been granted licences under schedule "C"?

(d) Did Government call for a report as to the principles observed in the issue of the licences?

(e) Is it not a fact that several oilman stores have been granted A. 1. licences by the Commercial Tax Officer?

(f) Is there any provision in the Drugs Control Order of 1945 holding that refusal to sell to anybody is an offence?

(g) Have Government exempted any one from the operation of this rule?

(h) Did Government receive any complaint against such exemptions?

The Honourable Mr. A. A. Waugh: (a) Yes, Sir. Under a Restricted Retailer's licence, general merchants may deal in certain patent household remedies in common use. They pay a licence fee ranging from Rs. 5 to Rs. 20 depending on the size of the town they are located in. They may, however, only sell articles covered by Schedule 'C' of the Drugs Control Order.

(b) Schedule 'C' was introduced on the 30th December 1944.

(c) The number of restricted licences issued in India, excluding Assam, is 2,178. Figures relating to Assam are awaited.

(d) No report was called for, as instructions relating to the issue of restricted licences had been issued to the Provincial Governments, who render monthly reports on the working of the Order

(e) As no absolute distinction between an oilman's store and a chemist is practicable, discretion has been left to the local licensing authorities. The Commercial Tax Officers of the Provincial Government are the District Licensing Authorities in Madras.

(f) Yes. Clause 12 of the Order prohibits refusal to sell without reasonable cause.

(g) No. The rule applies to all licences.

(h) Does not arise.

FERTILIZER PLANT FROM UNITED KINGDOM IN PREFERENCE TO UNITED STATES OF AMERICA

537. *Mr. Manu Subedar: (a) Why was it necessary for the Honourable Member for Industries and Supplies to place orders for the fertiliser plant for the Government Fertiliser Factory in Bihar with British manufacturers when American plant for the same purpose was available?

(b) Are Government aware that there are surplus plants with the Government of the United Kingdom which they could have acquired?

(c) Are Government aware that it is from America that the Travancore fertiliser plant is coming?

(d) If it was considered necessary to have Americans for designing and supervising, why was the manufacture diverted to the United Kingdom?

(e) Was it on the issue of price, or was it on the question of British preference, or was it some other reasons?

(f) Will all the papers in connection with the report of the Pitkeathly Mission and all papers in connection with the ordering of the machinery for the fertiliser plant be placed in the Library of the Central Legislature?

The Honourable Mr. A. A. Waugh: (a) Orders for the major portion of the fertilizer plant have not in fact, been placed on a consortium of British manufacturers. The British firm with whom a contract is being made will itself supply only a small proportion of the whole plant, representing their speciality. The rest of the plant will be obtained, by public tender, from a large number of manufacturers both in the U. K. and other countries, the British firm merely acting as agents for the Government of India and in association with a representative of the Government of India. The object of Government is to secure the most up-to-date and efficient plant, and for this purpose all available sources will be utilised.

An exhaustive examination of surplus plants available in America has shown that none is suitable for the Sindri Factory. The electrical equipment of American plants is unsuitable for the standard characteristics of Indian electricity supply, and if they were acquired, the whole electrical equipment would have to be replaced. Some other items of plant might have been suitable, but the purchase of such items would entail the purchase of entire plants of which they form part, and then disposing of what is not required. The utilisation of parts of second-hand American plants would therefore be more costly than the purchase of new plants.

(b) There are surplus plants in the U. K., but none is of the type suitable for the production of ammonia, which is one of the key operations of the factory.

(c) Yes, but it is understood that part of the plant for the Travancore Factory is to be purchased from the U. K.

(d) The reason why it has been determined that the design of the factory will be done by Americans, is that American practice is the most advanced for the production of ammonia. British practice, however, is more suitable for the conversion of ammonia. As explained in answer to part (a), the object is to secure maximum efficiency.

(e) The answer is furnished by (a) and (d) above.

(f) Yes. The relevant papers will be placed in the Library in due course.

SUPPLY OF CONSUMER GOODS, ETC., UNDER HYDARI MISSION REPORT

538. *Mr. Manu Subedar: (a) Will the Honourable Member for Industr and Supplies please circulate a copy of the Hydari Mission Report and f particulars of the arrangements effected by that Mission?

(b) What is the nature and class of goods which have come to India sin the Hydari Mission went as the result of that Mission's labour?

(c) How much additional production was affected in India through t diversion of the supply of military requirements from the United Kingdo instead of locally?

(d) Have Government surveyed the position since the Hydari Missi went, what improvements if any, have taken place in the situation wi regard to (i) consumer goods, and (ii) producer's equipment, machinery etc required by India?

(e) What further measures have Government considered to ease the pr sent situation?

The Honourable Mr. A. A. Waugh: (a) As was stated in reply to part (of Mr. Neogy's starred question No. 303, on the 19th February 1945, and t Honourable Member's starred question No. 474, on the 22nd February 194 the Hydari Mission was merely an administrative instrument for dealing wit very intricate and detailed subjects, and was sent on official business to th U. K. to save time and correspondence in handling many thousands of wa demands. The report submitted by the Mission to Government formed part o official correspondence beginning before and continuing after the Mission's visi and it was decided not to publish it. Government are therefore unable to ci culate copies of the report. As to the arrangements effected by the Mission, would refer the Honourable Member to the Press Communique issued on th evening of 6th April 1945 which was circulated to Honourable Members.

(b) A list of such goods is placed on the table.

(c) No additional production which had come into being in India was dim nished by the diversion of military requirements from India.

(d) Yes; decided improvement has been noticed in regard to supplies of good referred to.

(e) With a view to aiding the industrial effort of the country and reducin shortages of goods required to meet India's economy a revised notification ha been issued relaxing the Import Trade Control regulations so as to permi importation from the U. K. and most of the Empire countries without impor licence of various kinds of industrial requirements as well as goods of produce and consumer types. I may invite the attention of the Honourable Member t the Open General Licence No. VII as published in *Gazette of India Extraordinar* on the 22nd January and 4th February 1946 and also to the connected Pres Notes issued on those dates. Copies of the Press Note are available in th Library.

The question of what further additions to the O. G. L. can be made is receiv ing the consideration of Government.

Statement

Artificial silk fabrics.
Artificial silk yarn thread.
Chemicals household.
Chemicals industrial.
Cotton yarn & cotton piecegoods others
Cotton sewing thread.
Crockery.
Cutlery including razor blades.
Cycle and parts.
Domestic sewing machines and parts.
Drugs, Medicines & Baby foods Dyestuffs.
Electric Lamps, table fans and household appliances of all kinds.

Essential oils.
Glassware.
Grindery.
Handknitting wool.
Hardware.
Hosiery.
Hurricane lamps.
Kerosine oil
Liquors.
Non-ferrous metals such as aluminium, brass sheets, zinc, etc
Oil cloth and Floor cloth.
Optical instruments, apparatus and equipment
Paints
Paper of all kinds
Pipe tobacco
Photographic negative & Printing paper
Polishes and compositions
Professional and scientific instruments
Radio & Radio parts.
Second hand clothing
stationery
Toilet requisites.
Torches and components
Umbrella ribs and components
Woollen yarn and Fabrics.
Railway equipment and material.
Tele communication's equipment —
  Auto Exchange Equipment
  Underground cables
  Workshop Stores.
Meteorological Equipment such as—
  Milling Machine and accessories
  Hydrogen compressor with accessories
  Motor Generators for Hydrogen Factories
  Barometers
  Naphoscopes.
  Anemographs, etc.
Motor Vehicles.
Agricultural Equipment :—
  Tractors
  Mouldboard Ploughs.
  Subsoil Ploughs.
  Cream Separators.
Chemical Fertilisers :—Sulphate of Ammonia
Coal mining Equipment
Ordnance Stores, and Munition, Transportation, and other military items.

EFFORTS TO REDUCE PRICES OF MANUFACTURED ARTICLES

539. *Mr. Manu Subedar: (a) What steps, if any, does the Honourable Member for Industries and Supplies propose to take to reduce the prices of manufactured articles?

(b) Are Government aware that freight plays an important part in the movement of raw materials and other essential articles required as well as of fuel and of finished goods? If so, have Government considered the question of bringing down the surcharge of freight rates as a means of reducing prices?

(c) Do Government propose to indicate whether they have carefully examined the prices of matches, cement, paper, sugar and cloth in the interests of the consumer?

(d) What machinery has been provided for a constant re-examination with a view to bringing down prices for the civil population?

The Honourable Sir Edward Benthall: (a) No, Sir. There were formerly two articles being mainly due to shortage in supplies, it has so far been the Government's policy to bring about a reduction in the general level of prices by:

(i) increasing imports of consumer goods which are either not manufactured or else are manufactured in insufficient quantities in India;

(ii) assistance to Indian manufacturers by way of provision of raw materia and stores, if necessary by imports at controlled rates, and making availab transport and other facilities to enable them to cut down costs of production;

(iii) so long as the war was on, to bring about reduction in the defen demands that were being met from the productive capacity of India; and

(iv) by controlling the prices of the various articles at a reasonable level a thereafter with the help of Advisory Committees and Panels reviewing them view of the prevailing supply position.

It is Government's intention to pursue the same policy with a constant examination of prices with the help of Advisory Committees and Panels and Provincial Governments.

(b) Under normal conditions railway freight does play an important part i the movement of raw materials and other essential goods, etc., but under th abnormal conditions created by the War, the demand for transport and goo has been so great that the supply of wagons has become of primary importanc to consignors and freight rates were comparatively of minor consequence to them Making allowance for exemptions from the increased charges of 12½ per cent., is estimated that the general rise in railway freights on goods was approximate 9 per cent., which is small when compared with the rise in commodity price The latter part of the question, therefore, does not arise.

(c) Government have carefully examined the prices of the articles mention in the interests of the consumer.

(d) The Honourable Member is referred to the answer to part (a) of t question.

TERMS AND CONDITIONS OF SIR GIRJA SHANKER BAJPAI'S APPOINTMENT

540. *Mr. Manu Subedar: (a) Will the Foreign Secretary please state t terms and conditions on which Sir Girja Shanker Bajpai was engaged wh he was sent to the U S A ?

(b) Are Government aware that he is working under the British Embas and that he was not recognized as an independent official, but was regard as part of the entourage of the British Embassy?

(c) For how many years was he appointed in the first instance, and h many extensions have been given to him?

(d) Did Government direct Sir Girja Shanker Bajpai to intercede in t propaganda against India and her aspirations for freedom which was carried on in the U S.A. by those interested? If so, when was this done and wh were the results secured?

Mr. H. Weightman: (a) The terms attaching to the post of Agent-Gene for India in Washington are:

(i) Pay—£2,500 per annum.

(ii) Fairs de Representation—£3,000 per annum.

(iii) Sumptuary allowance—£7,000 per annum.

(iv) Free furnished house and motor car

(b) The Agent-General is technically attached to His Majesty's Embassy.

(c) Sir Girja Shankar Bajpai was not appointed for any specific period.

(d) The Government of India are unaware that there was any propaganda the type to which the Honourable Member refers. Consequently no instructi in the sense suggested were issued.

RECOMMENDATIONS OF THE GRADY COMMISSION REPORT

541. *Mr. Manu Subedar: (a) Has the Honourable Member for Indust and Supplies seen in the *Blitz* of Bombay dated the 13th October, 1945 outline of the principal recommendations of the Grady Report?

(b) Are these substantially correct?

(c) Why was the Grady Report not published during the war, and why is its publication still withheld?

(d) Is it a fact that the Grady Report recommended the production of many kinds of munitions in India instead of their importation in order to save shipping?

(e) What were the reasons for not accepting the Grady Report?

The Honourable Mr. A. A. Waugh: (a) Yes, Sir.

(b) No, Sir. The outline is very wide of the mark.

(c) The Report was not published during the war for reasons of security. It is intended to publish the Report very shortly, omitting only essential strategic information, along with a memorandum indicating in detail the action taken by the Government of India to implement the recommendations made in the Report.

(d) Yes, Sir.

(e) The Grady Report was not only accepted but was implemented, as far as possible.

Black Marketing in Arms and Ammunition

642. *Prof. N. G. Ranga: (a) Will the Honourable Member for Industries and Supplies be pleased to state whether the Controller General of Civil Supplies received a list of articles in the trade of arms and ammunition from the Secretary, All-India Arms and Ammunition Dealers' Association?

(b) Is it a fact that, consequent on the submission by him of a comprehensive list of articles which were being black marketed generally, the Secretary of the Association was removed from the Advisory Panel? If not, what were the reasons for his removal?

(c) Is it a fact that the Assistant Controller General of Civil Supplies in his communication No. S/3(30)/44-CG(CS), dated the 2nd September, 1944, to the Honorary Secretary, All-India Arms and Ammunition Dealers' Association, Delhi, wrote: "The question of fixation of prices of all items of arms and ammunition is engaging the active attention of this office"?

(d) For how long has the question engaged the active attention of the Controller General of Civil Supplies?

(e) What prices were fixed under section 3 of the Hoarding and Profiteering Prevention Ordinance? If none, why?

The Honourable Mr. A. A. Waugh: (a) Yes, Sir.

(b) No, Sir. The Secretary of the Association was removed from the Panel because it was represented by members of the Association that it would be more appropriate if a dealer rather than a lawyer were appointed to the Panel.

(c) Yes.

(d) and (e). Specific prices for cartridges and profit margins for other articles dealt with by the trade were first fixed by a Notification dated the 22nd January, 1941. The question of fixation of specific prices for other items, as well as revision of prices and profit margins already notified, was investigated and was referred to the Advisory Panel on 9th November 1944, and again on 10th August 1945. The Panel came to the conclusion that it was impossible to fix prices for some 300 items imported only in very small quantities. Accordingly, on their advice, prices of cartridges only were revised and notified in a Notification dated 8th September 1945, while profit margins in respect of other items were notified in a second Notification issued the same day.

Dufferin Railway Bridge at Benares

643. *Shri Sri Prakasa: Will the Honourable the Railway Member be pleased to state:

(a) the present condition of the Dufferin Railway Bridge at Benares;

(b) the year in which the repairs of the Bridge were taken in hand;

(c) the period of time during which the work of repairs was suspended;

(d) the date on which the work was re-started;

(e) the time that the operations are likely to take; and

(f) if he is satisfied with the progress made?

The Honourable Sir Edward Benthall: (a) The present condition of the Dufferin Bridge at Benares is such that early renewal of the girders is desirable.

(b) Work in connection with the Dufferin Bridge re-girdering was taken in hand during the year 1941.

(c) and (d). The work was never actually suspended, but owing to more urgent and important demands which had to be met in connection with the prosecution of the war the progress was slow.

(e) According to the present programme the work should be completed by February 1949.

(f) I am satisfied that the progress of the work could not have been accelerated in the circumstances.

DUFFERIN RAILWAY BRIDGE AT BENARES

544. *Shri Sri Prakasa: Will the Honourable the Railway Member be pleased to state:

(a) if the reconstruction of the Dufferin Railway Bridge at Benares, at present going on, is in accordance with the original plan, or if any changes have been made therein,

(b) if it is the intention to run double lines of Railways on the Bridge and to make arrangements for vehicular and pedestrian traffic on the roof; and

(c) the amount of money sanctioned for the reconstruction of the bridge, and the amount already spent so far?

The Honourable Sir Edward Benthall: (a) The present plan for the reconstruction of the Dufferin Bridge at Benares differs from the plan originally approved only in a few minor details designed to improve the roadway.

(b) Yes.

(c) The original estimate sanctioned in August 1939 amounted to Rs. 83 lakhs. This estimate will, however, require revision on account of the rise in the cost of labour and material.

Expenditure incurred up to the end of December 1945 amounts to Rs 38,51,000.

DUFFERIN RAILWAY BRIDGE AT BENARES

545. *Shri Sri Prakasa: Will the Honourable the Railway Member be pleased to state:

(a) if he has received complaints of the inconvenience caused to vehicular and pedestrian traffic on the Dufferin Railway Bridge at Benares during the monsoons when the Pontoon Bridge is dismantled;

(b) if it is possible to provide a wider passage for pedestrian traffic than at present given; and

(c) if he proposes to suggest to the East Indian Railway to set apart definite hours for vehicular traffic on the Bridge when the pontoon is not available?

The Honourable Sir Edward Benthall: (a) Yes

(b) The footpath provided for pedestrian traffic has been closed from November 1945 and separate arrangements for this type of traffic will not be made until the regirdering is completed.

(c) In view of the very heavy railway traffic, it is not practicable to provide the facility desired.

BOARDING OF THROUGH BOGIES AT BENARES AND LUCKNOW SIDINGS

546. *Shri Sri Prakasa: Will the Honourable the Railway Member be pleased to state:

(a) if Government are aware that passengers are not allowed to board the through bogeys provided at various important stations like Benares and Lucknow on the East Indian Railway for attaching to various mail and express trains before the arrival of such trains,

(b) if Government are aware that this causes inconvenience to passengers wanting to travel in these bogeys, and

(c) if Government propose to suggest to the Railway Administration to keep these bogeys at convenient sidings and to permit passengers to board them before the arrival of the trains?

The Honourable Sir Edward Benthall: (a) This is not so. The E. I. Railway report that where there are suitable sidings, with or without platforms, and passengers are not open to undue risk, through service coaches are placed in such sidings and passengers are allowed to board them long before the arrival of the trains in question. At stations like Benares Cantt. and Lucknow, definite instructions have already been issued by the Railway Administration to the staff concerned to place through service carriages in suitable sidings for the entrainment of passengers.

(b) and (c) Do not therefore arise.

MUSLIMS IN GAZETTED POSTS IN CIVIL AVIATION DIRECTORATE

647. *Mr. Ahmed E. H. Jaffer: Will the Secretary for Posts and Air be pleased to state the number of Muslims holding gazetted posts in the Civil Aviation Directorate?

Sir Gurunath Bewoor: Four, Sir.

PURCHASE AND DISTRIBUTION PROGRAMME OF LOCOMOTIVES

548. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Railway Member please state how many locomotives the Indian Railways have acquired by purchases since April, 1945?

(b) In what manner were these engines distributed among the first class Railways?

(c) What was the share of the East Indian Railway?

(d) How many more engines are Government expecting in the calendar year 1946?

The Honourable Sir Edward Benthall: (a) No locomotives have been purchased since April 1945, but deliveries in India from the 1st April 1945 to the 1st February 1946 as a result of orders placed abroad prior that date total 394 (375 B. G. and 19 M. G.).

(b) The figures of locomotives distributed amongst Railways from the 1st April 1945 to the 1st February 1946 differ from the figures of locomotives received during the same period, due to the time lag between the receipt of a locomotive at port and its receipt on a Railway for service. I lay on the table a statement showing the number of new locomotives distributed over class I Government Railways and the net effect of such additions on the total number of locomotives on line on each Railway, after taking into account inter-railway transfers of locomotives already in service.

(c) The East Indian Railway received 123 new engines from the 1st April 1945 to the 1st February 1946.

(d) 189 locomotives, including 12 to be manufactured indigenously, are expected from the 1st February 1946 to the end of the calendar year.

Statement showing the number of new locomotives distributed over Government owned Railways a the net effect of these additions on the total number of engines on line

Railway	New locos on line on		New locos added from 1-4-1945 to 1-2-1946	Total number of locos on line on		Net increase from 1-4-1945 to 1-2-1946	Rema
	1-4-45	1-2-46		1-4-45	1-2-46		
1	2	3	4	5	6	7	8
			Broad gauge				
B. A.	102	91	—11	416	386	—30	
B. N.	33	85	+52	683	742	+59	
B.B. & C.I.	9	40	+31	361	386	+25	
E. I.	111	234	+123	1670	1782	+112	
G. I. P.	53	134	+81	725	787	+62	
M. S. M.	...	31	+31	311	346	+35	
N. W.	8	44	+36	1142	1208	+66	
S. I.	...	...	...	153	158	+5	
Total	316	659	+343	5461	5795	+334	
			Metre gauge				
B. A.	368	338	—30	882	786	—96	
B.,B.&C.I.	2	2	...	403	436	+33	
M. S. M.	...	...	...	274	286	+12	
S. I.	...	...	...	327	334	+7	
O. T.	1	34	+33	452	496	+44	
Total	371	374	+3	2338	2338	...	

WORKSHOP FOR CONSTRUCTING BROAD GAUGE LOCOMOTIVES

549. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Railwa Member please state if Government are contemplating to construct a worl shop for the manufacture of broad gauge locomotives?

(b) What steps have already been taken for the construction of th workshop?

(c) Where will these workshops be located?

The Honourable Sir Edward Benthall: (a) and (c). Government are proceei ing with their plans to remodel the locomotive workshop at Kanchrapara f locomotive building. It is the Government's intention that locomotives shoul also be built by the Tata Locomotive and Engineering Company at Tatanaga For this purpose the Singhbhum Workshops of the E. I. Railway were sold t this firm on the 1st June 1945 and the firm are at present proceeding with th manufacture of locomotive boilers required for replacement on existing loc motives.

(b) Certain machinery for installation at Kanchrapara has been ordered an some expenditure on other works has been authorised.

LACK OF LIGHTING ON BENGAL AND ASSAM RAILWAY

550. *Sreejut Rohini Kumar Choudhuri: (a) Will the Honourable th Railway Member be pleased to state if it is a fact that no light is provide

in any of the Railway compartments in the A. B. Zone of the Bengal Assam Railway uptil now?

(b) Is it a fact that there is no lighting arrangement in the third and inter classes and in the W. C's of any compartment of any class in the Bengal zone of the Bengal Assam Railway? If the replies to (a) and (b) are in the affirmative, what steps are being taken to remove these grievances?

The Honourable Sir Edward Benthall: No. Important trains have lights in the compartments.

(b) The reply to the first part is in the negative. All compartments of passenger trains and W. C's of all classes on the more important trains, running on the Broad Gauge of B. A. Railway are provided with lights. With regard to the second part, active steps have been taken to improve the supply of train lighting lamps, and the position should now improve

RAILWAY LINE BETWEEN BONGAIGAON AND PANDU

551. *Sreejut Rohini Kumar Choudhuri: (a) Will the Honourable the Railway Member please state if it is a fact that arrangements are being made to connect Bongaingaon with Pandu by constructing a Railway line from Bongaingaon to Jogighopa, to Goalpara and then to Pandu by the south bank of the River Brahmaputra?

(b) When do Government expect to complete the construction thereof and carry traffic on this line?

(c) Do Government propose to construct a bridge over the Brahmaputra River in the Assam zone? If so, at what place?

The Honourable Sir Edward Benthall: (a) The possibility of constructing a railway line from Bongaingaon to Pandu *via* Jogighopa and Goalpara is under investigation

(b) The decision to construct the line will depend on the results of the survey now being carried out and until this decision is taken, it is not possible to say when the line will be completed and opened to traffic

(c) Yes, near Jogighopa as a part of the Bongaingaon-Goalpara Project under investigation

MUSLIM COOLY CONTRACTORS ON EAST INDIAN RAILWAY

552. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Railway Member please lay on the table a statement showing the number of cooly contractors on the East Indian Railway stations?

(b) How many of these contractors are Muslims? If none, why?

(c) On what principle are the contracts given?

The Honourable Sir Edward Benthall: (a) It is not clear what exactly the Honourable Member has in mind in the use of the term "cooly contractors", but it is assumed that he is referring to contractors concerned with licensed coolies for the carrying of passengers' luggage. On this assumption, the number of cooly contractors on the East Indian Railway stations is 47.

(b) Four. The latter part of the question does not arise.

(c) These contracts are given by the Railway Administration to suitable applicants for such contracts with due regard to their experience and requisite qualifications for the recruitment and control of labour.

BOOKSTALLS AGENCIES ON CERTAIN RAILWAYS

553. *Pundit Thakur Das Bhargava: (a) Will the Honourable the Railway Member be pleased to state the names of agencies conducting book stalls on the Railway Stations of the N.W.R., E.I.R. and G.I.P.R. as well as the number of years they have been functioning on each Railway?

(b) Are there any rules governing the appointment and conduct of these agencies?

The Honourable Sir Edward Benthall: (a) *N. W. Railway*:—Messrs. A. H. Wheeler and Company—About 58 years.

E. I. Railway:—Messrs. A. H. Wheeler and Company—About 60 years.

G. I. P. Railway:—Messrs. A. H. Wheeler and Company—About 47 years.

(b) Contracts are let out after calling for public tenders, and granted to the highest tenderer likely to render efficient service to the public.

TEACHING OF FIRST AID TO RAILWAYMEN

554. *Pundit Thakur Das Bhargava: Will the Honourable the Railway Member kindly state if first aid lessons are given to any class of Railwaymen on the various Railway Administrations? If so, to which class, and to how many men?

The Honourable Sir Edward Benthall: The reply to the first part is in the affirmative. The instructions issued to railway administrations make First Aid training obligatory at least in the case of Running staff, other than those who are not required to be literate, and supervising staff in all workshops and running sheds. In addition, administrations are allowed to add, at their discretion, other categories of staff whom they consider should be trained in First Aid. As the Honourable Member has not specified the period in respect of which the information referred to in the concluding portion of the question is required, I regret I am unable to furnish it.

HINDI KNOWING POSTAL FUNCTIONARIES IN PUNJAB

555. *Pundit Thakur Das Bhargava: Will the Secretary for Posts and Air please state:

(a) the present number of postal functionaries in the Punjab capable of reading the addresses in the Hindi script as compared to the total postal functionaries in that Province;

(b) the number of letters and postcards sent to the Dead Letter Office during the year 1945 owing to their bearing addresses in Hindi in the whole of India and in the Punjab; and

(c) whether Government have taken any steps to remove the grievance of the Hindi reading public in the matter?

Sir Gurunath Bewoor: (a) and (b). The information is not readily available and its collection would involve an undue expenditure of time and labour.

(c) Yes. So far as possible and where necessary, additional staff has been posted in the larger post offices for transcribing addresses into English.

PERSONS CONVICTED OF HOARDING AND PROFITEERING OFFENCES

556. *Pundit Thakur Das Bhargava: Will the Honourable Member for Industries and Supplies kindly state

(a) the number, separately, of persons convicted in the Centrally Administered Areas in connection with the Hoarding and profiteering offences during the last three years; and

(b) the number of officials (i) proceeded against and (ii) convicted for corruption during the last three years in connection with offences relating to hoarding and profiteering and for corruption generally?

The Honourable Mr. A. A. Waugh: The details required are being collected and will be placed on the table as soon as they are available.

PROMOTIONS IN RAILWAY BOARD

557. *Sri M. Ananthasayanam Ayyangar: Will the Honourable the Railway Member be pleased to state:

(a) whether Government are aware that there is great discontent among the staff in the Railway Board's Office owing to the indiscriminate practice followed in that office in regard to promotions to posts of Superintendents and other supervisory posts;

(b) whether promotions in the Railway Board's Office are made in accordance with the general policy laid down by the Home Department that every senior man must be tried before he is condemned; if not, why not;

(c) the number of officiating promotions to posts of Superintendents and other supervisory staff made during the last two years, together with the number of senior men in each case whose claims were overlooked; and

(d) whether Government are prepared to review all the promotions made during the last two years be the temporary or officiating with a view to ensuring equitable treatment to all the members of the staff of the Railway Board's Office?

The Honourable Sir Edward Benthall: (a) No, Sir.

(b) Yes, though it has nowhere been laid down that men should be tried out in Supervisory posts because of their seniority, when their record of service shows them to be unfit for promotion.

(c) Twenty-nine officiating promotions to posts of Superintendents and other Supervisory posts have been made during the past two years. In no case were the claims of senior men overlooked.

(d) No, Sir.

PROMOTIONS IN RAILWAY BOARD

558. *Sri M. Ananthasayanam Ayyangar: Will the Honourable the Railway Member be pleased to state.

(a) whether any posts of Assistants, Assistants-in-Charge, or Superintendents in the Railway Board's Office have been declared as technical and specialised or treated as such with a view to confining appointments and promotions to such posts to a certain category of men;

(b) if so, whether this step was taken in consultation with the Home Department or the Federal Public Service Commission;

(c) whether Government are aware that the declaration or undeclared assumption of certain posts as technical or specialised has operated to the disadvantage of number of men in the Railway Board's Office especially those who were recruited through the Federal Public Service Commission, in view of the fact that similar disabilities do not exist in any other department of the Government of India; and

(d) if so, how Government propose to compensate the men who have been adversely affected for no fault of theirs?

The Honourable Sir Edward Benthall: (a) No, Sir.

(b) to (d) Do not arise.

PROMOTIONS IN RAILWAY BOARD

559. *Sri M. Ananthasayanam Ayyangar: Will the Honourable the Railway Member be pleased to state.

(a) whether the various Branches in the Railway Board's Office have been or are to be formed into a few groups with a view to confining the promotions of a man to the particular group in which he is placed;

(b) if so, whether the Home Department and/or the Federal Public Service Commission are aware of this scheme; if not, whether Government propose to consult them as the matter may have an adverse effect on the men who were recruited through them; and

(c) whether Government propose to redistribute the senior men in all groups so that they may have equal chances of promotions; if not, why not?

The Honourable Sir Edward Benthall: (a) No, Sir, there is at present no intention of altering the existing procedure.

(b) and (c). Do not arise.

RECRUITMENT OF STAFF ON B. B. & C. I. RAILWAY

560, *Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member please state how recruitment is made for the staff of subordinate and higher grades in the B. B. and C. I. Railway (metre gauge)?

(b) Are there any Selection Boards for recruitment and promotion? If so, how many, and how are they constituted?

(c) Do there exist any rules to guide these Selection Boards? If so, will the Honourable Member place them on the table? If not, will such rules be framed now to avoid any chances of partiality in selection?

(d) Have there been any cases of appointments and promotions to the services without the consultation of the Selection Boards? If so, in how many cases and for what reasons?

The Honourable Sir Edward Benthall: (a) As regards recruitment of subordinate staff on the B. B. and C. I. Railway, the Honourable Member is referred to my reply to part (a) of Starred Question No. 110, asked in this House on 8th February, 1946. As regards gazetted officers, recruitment to railway services, Class I, is made in accordance with rules 124 and 131 of State Railway Establishment Code, Volume I, a copy of which is available in the Library of the House. Such recruitment is effected through the Federal Public Service Commission.

(b) Yes. They are constituted in accordance with the rules contained in Appendices 11 and 11-A of the State Railway Establishment Code referred to in the reply to part (a). There is no fixed number as Selection Boards are appointed *ad hoc*. The selection of senior subordinates for officiating vacancies in gazetted posts is carried out in accordance with the instructions contained in Railway Board's letter No. E44PM12, dated 14th November, 1944, a copy of which was placed on the table of the House in reply to part (b) of Lala Sham Lall's Starred Question No. 1130, asked on 20th March, 1945. The permanent promotion of such staff is effected by the Railway Board in consultation with the Federal Public Service Commission.

As regards promotion of gazetted officers to administrative posts in permanent vacancies or vacancies of long duration, the selection is made by the Railway Board after examining the confidential reports and service records of the senior officers eligible for selection.

(c) The rules are those mentioned in the reply to parts (a) and (b). The reply to the last portion does not arise.

(d) Government are informed that the railway administration are not aware of any such case. The reply to the second portion does not arise.

COMMUNAL PROPORTION IN RECRUITMENT AND PROMOTIONS ON RAILWAYS

561. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member please state what proportion, if any, is fixed for different communities, Europeans, Anglo-Indians, Hindus, Muslims, etc., for recruitment and promotion to higher and lower grade services?

(b) Is it a fact that Anglo-Indian subordinates have been promoted to the post of Signal Engineer without requisite technical qualifications in preference to the subordinates of other communities possessing necessary qualifications?

(c) Is it a fact that appeals preferred in such cases are pending for a considerable period without any decision thereon?

(d) What steps does the Honourable Member contemplate to take to avoid the repetition of such instances in future?

The Honourable Sir Edward Benthall: (a) Communal reservation of vacancies in the gazetted and non-gazetted services open to direct recruitment is made in accordance with the provisions of Government of India (Home Department) Resolutions No. 14/17-B/33, dated 4th July, 1934, No. 14/5/38 dated 1st May, 1939, and No. 23/5/42Est.(S), dated 11th August, 1943, copies of which are available in the Library of the House. Promotions, including those

from non-gazetted to gazetted posts, are not made on a communal basis. Vacancies in the superior services on railways to the extent of 20 per cent. are filled by promoting staff from the Lower Gazetted Service and non-gazetted rank. Such promotions are also not made on communal considerations.

(b) and (c). The reply is in the negative.

(d) Does not arise.

REVISED SCALE OF PAY ON B. B. & C. I. RAILWAY (METRE GAUGE)

562. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Honourable the Railway Member please state if Government are aware that the revised scale of pay for the staff of the B. B. and C. I. Railway (metre gauge) is comparatively much lower than that of the other State Railways like the E. I. Railway?

(b) If so, what is the reason for such discrimination? Do Government propose to take steps to revise the scale in order to bring it to level with other State Railways?

The Honourable Sir Edward Benthall: (a) While the revised scales of pay of some of the staff on the Metre Gauge sections of the B. B. and C. I. Railway may, in some instances, be lower as compared with those of corresponding categories on the E. I. Railway, Government do not consider that the disparity is either general or appreciable.

(b) The extent to which uniformity of scales on all railways is practicable is being examined as part of the general question of postwar scales, though it is doubtful if entire uniformity is called for having regard to different conditions in different parts of the country.

563* and **564*.** [Withdrawn.]

PROMOTION OF NON-INDIANS TO POSTS OF CHIEF COMMISSIONER AND GENERAL MANAGER OF RAILWAYS

565. *Srijut Dhirendra Kanta Lahiri Choudhury: Will the Honourable the Railway Member please state:

(a) if it is a fact that the posts of Chief Commissioner for Railways and General Managers of Railways are exclusively intended for non-Indians; if not, what the fact is;

(b) if it is a fact that during the preceding two years senior most Indians have been superseded by junior most non-Indians for those posts; if not what the fact is;

(c) how these appointments are made and who selects them; and

(d) whether the Federal Public Service Commission has any say in the selection?

The Honourable Sir Edward Benthall: (a) No. The claims of all senior officers possessing the requisite qualifications, irrespective of race or nationality, are considered when selecting officers to fill these posts.

(b) As the posts are selection posts and seniority is not therefore the sole factor in making selections, senior officers, both Indian and non-Indian, have, on occasion, not received promotion.

(c) The Honourable Member is referred to my reply to part (d) of Sri M. Ananthasayanam Ayyangar's Starred Question No. 111, asked on 8th February, 1946.

(d) The reply is in the negative.

TICKETLESS TRAVEL

566. *Srijut Dhirendra Kanta Lahiri Choudhury: (a) Has the attention of the Honourable the Railway Member been drawn to the news item by the A. P. I. published in column 3 of page 4 of the Delhi Edition of the *Hindustan Times*, dated February 7, 1946, under the caption "Ticketless Travellers Arrested"? If so, will he please state whether the figure 2,000 (Two thousands) is correct?

(b) Does the said figure relate to one train at one station or more?

The Honourable Sir Edward Benthall: (a) and (b). I have seen the news item referred to. Information as to the correctness of the number of ticketless travellers arrested quoted in the news item as well as on the points mentioned in part (b) of the question has been called for and will be laid on table of the House in due course.

DUTIES AND FUNCTIONS OF GOVERNMENT RAILWAY POLICE, DELHI JUNCTION

567. *Srijut Dairendra Kanta Lahiri Choudhury: (a) Has the attention of the Honourable the Railway Member been drawn to a letter published in column 7 of page 5 of the Delhi Edition of the *Hindustan Times*, dated February 7, 1946, under the caption "At Delhi Junction"? If so, will he please state if it is a fact that at Railway Stations law and order are maintained by the Government Railway Police Force?

(b) Is guarding, watching and patrolling platforms, buildings and Railways the duty and function of the Police Force at Railway Stations?

(c) Under what circumstances do the beggars get access to platforms which are guarded and patrolled by the Police Force?

(d) Is it a fact that a Railway servant has no power vested by the Indian Railways Act to eject the beggars from platforms which are guarded and patrolled by the Police Force? If not what is the fact?

The Honourable Sir Edward Benthall: (a) Yes.

(b) Such portion of the work of guarding, watching, and patrolling platforms, buildings and Railways as comes within the meaning of maintenance of Law and Order forms one of the duties and functions of the Police Force at railway stations.

(c) Keeping the station premises clear of beggars is only one of the multifarious duties of the Police Staff, and the beggars get access to platforms by unauthorised routes while the Staff are engaged otherwise.

(d) Railway servants have adequate powers to eject or prosecute beggars.

SUB-DIVIDING OF CIGARETTE CONTRACT AT AMRITSAR ON COMMUNAL BASES

568. *Srijut Dhirendra Kanta Lahiri Choudhury: Will the Honourable the Railway Member please refer to the reply given to starred question No. 219 asked on the 16th November, 1943, regarding sub-division of contracts on communal basis on Railways, *viz.* —"I have no reason to suppose that this policy has not been followed by the North Western Railway ever since the issue of the letter referred to"; and state:

(a) if it is a fact that the General Manager, North Western Railway has recently sub-divided the Cigarette Contract at Amritsar on communal basis against the declared policy enunciated in that reply; if not, what the fact is, and

(b) whether Government now propose to adopt that policy by cancelling the said sub-division of the said contract; if not; why not?

The Honourable Sir Edward Benthall: (a) No, Sir. There were formerly two contractors for the sale of cigarettes at Amritsar. The contract of one was terminated some time ago on account of bad work and this has now been revived and given to another contractor.

(b) Does not arise.

NON-SUPPLY OF SURPLUS WAGONS TO PUBLIC

569. *Khan Bahadur Hafiz M. Ghaznafarulla: (a) Will the Honourable Member for War Transport kindly state why there is shortage of wagons now on all the Railways when the war is over?

(b) Is it not a fact that a large number of wagons are surplus in all the Railways and yet they are not supplied to the public on demand?

(c) When do Government expect to supply these wagons to the public without any control?

The Honourable Sir Edward Benthall: (a) I would refer the Honourable Member to para. 2 of my Budget speech on the 18th instant, where I explained that despite decrease in Military traffic, a high rate of transport activity continues, although, of course, the distribution of traffic has altered. As evidence of this I might add that we have loaded in January 1946 over 9 per cent more wagons on the Broad Gauge than in January 1945. Despite this the transport demands continued to exceed the available supply.

(b) No.

(c) As I said in para. 2 of my Budget speech, it is necessary for the time being to maintain in operation, in decreasing degree a system of priority movement control. Present indications are that this will have to continue at least until the end of August 1946.

RAILWAY ENGINES PURCHASED FROM AMERICA AND CANADA

570. *Khan Bahadur Hafiz M. Ghazanfarulla: (a) Will the Honourable the Railway Member please state the number of Railway engines which have been purchased during the period 1943-45 from America and Canada?

(b) How many of these are now on the Railway lines in working order?

(c) How many of these are in workshops requiring repairs?

(d) Do these engines come up in performance and efficiency to the standard that was expected of engines of a similar design?

The Honourable Sir Edward Benthall: (a) From 1st January 1943 to 31st December 1945, 349 locomotives were ordered from the U.S.A. and 292 were ordered from Canada for use in India. Of this total of 641, 450 had been put into service up to the end of 1945.

(b) and (c) Figures are not available to show separately the number of these locomotives which are working or are temporarily under repair; but it is known that the number under repair, considering the operating conditions which prevailed during the war, is not abnormal.

(d) Yes.

LATE RUNNING OF TRAINS ON EAST INDIAN AND OUDH AND TIRHUT RAILWAYS

571. *Khan Bahadur Hafiz M. Ghazanfarulla: (a) Is the Honourable the Railway Member aware that almost all the trains are now running late on the East Indian Railway and Oudh and Tirhut Railway?

(b) What steps are being taken to stop the late runnings?

(c) Is it a fact that sometimes trains leave from the starting stations about an hour late? Who is responsible for the late startings?

(d) Is any action being taken against the officers and men who are responsible for the late arrivals and departures?

The Honourable Sir Edward Benthall: (a) There has been a considerable degree of unpunctuality in the running of trains on the E.I. and O.T. Railways, but it is an overstatement to say that almost all the trains are now running late.

(b) All necessary measures are taken to improve punctuality. Officers and inspecting staff have been instructed to travel more frequently with the trains to see that time is not lost at stations or on the line, for other than unavoidable reasons such as engine failure due to bad coal, and all avoidable detentions are taken up. The loads of passenger trains have been reduced to enable drivers to maintain the booked speed and to make up time in the event of trains being detained from unavoidable causes. The running of trains is very carefully watched both by Divisional Superintendents and Headquarters Offices.

(c) Yes, this sometimes happens, but late starts may arise from a combination of unavoidable causes, and are not necessarily attributable to any particular official.

(d) Yes, detentions are checked very carefully and whenever the staff are found at fault, suitable action is taken to prevent a recurrence of such detentions.

NON-RECOGNITION OF OUDH AND TIRHUT RAILWAYMEN'S UNION

572. *Shri Satya Narayan Sinha: (a) Is the Honourable the Railway Member aware that in spite of the condition precedent to official recognition of the Union as provided in Appendix 13 of the Railway Establishment Code having been fulfilled repeatedly, the Oudh and Tirhut Railwaymen's Union has not been accorded recognition by the management yet, and that the question is pending before the General Manager for the last three years?

(b) If the reply to (a) be in the affirmative, will the Honourable Member please give the reasons for non-compliance?

The Honourable Sir Edward Benthall: (a) The actual position does not appear to be as stated in the Honourable Member's question. Government are informed that in spite of the assurance held out by the General Manager to consider the question of the Union's recognition, the latter has, even after repeated references, failed to produce certain current records to satisfy him regarding its status.

(b) Does not arise.

SCALES OF PAY OF OFFICERS AND SUBORDINATE STAFF ON OUDH AND TIRHUT RAILWAY

573. *Shri Satya Narayan Sinha: (a) Will the Honourable the Railway Member please state (a) if it is a fact that the scales of pay of the General Manager of the Oudh and Tirhut Railway and other big officers of the Railway have been raised to the level of the respective scales of other State Railways?

(b) Is it a fact that the scales and grades of pay of the subordinate employees are still very much below the respective scales in other State Railways?

The Honourable Sir Edward Benthall: (a) and (b). The General Manager of the O. T. Railway has been given the State Railway scale of pay. As regards other gazetted staff and non-gazetted staff, the Honourable Member is referred to my reply to Mr. B. B. Varma's Starred Question No. 115 asked on 8th February, 1946.

FOODGRAINS SUPPLIED TO STAFF OF OUDH AND TIRHUT RAILWAY

574. *Shri Satya Narayan Sinha: Will the Honourable the Railway Member please state if Government are aware that foodgrains that are supplied to the staff of the Oudh and Tirhut Railway are not fit for ordinary human consumption?

The Honourable Sir Edward Benthall: Government have received no complaint and have no reason to believe that the foodgrains supplied to the staff on the O.T. Railway are not fit for ordinary human consumption.

EXCHANGE FACILITIES AND SECURITY OF PROPERTIES OF INDIAN NATIONALS IN INDO-CHINA

575. *Sree Satya Priya Banerjee: Will the Foreign Secretary be pleased to state:

(a) whether he is aware of the difficulties experienced by the Indian Nationals in Indo-China in the matter of sending money to their families and dependants in India even after the French re-occupation of Indo-China;

(b) whether any steps have been taken to remove these difficulties; if so, what those steps are;

(c) whether any representation has reached the Government of India regarding the safety and security of the properties of the Indian Nationals in Indo-China; if so, what action has been taken thereon;

(d) whether facilities for repatriation of the Indian Nationals in Indo-China have been given and *vice-versa*, whether facilities for passage of Indians owning properties in Indo-China have been provided to enable them to go and look after their properties in Indo-China;

(e) whether Mr. Anev, the representative of the Government of India in Ceylon was asked to visit Indo-China and to report about the conditions of Indians there; if so, what his recommendations are; and

(f) whether his attention has been drawn to the statement of Sree V. Nadimuthee Pillai regarding the position of Indians in Indo-China which appeared in the *Hindu* of the 20th December, 1945 and the *Indian Express* of the 25th December, 1945?

Mr. H. Weightman: (a) to (d). I would refer the Honourable Member to the replies given by me on the 22nd February 1946 to questions Nos 440 and 441.

(e) Yes, Mr. Aney was deputed by the Government of India to enquire into the condition of Indians in French Indo-China and Siam. The most important of his recommendations in respect of Indians in Indo-China are for the provision of facilities for travel between that territory and India and for the remittance of funds. He also suggested consideration of the possibility of appointing an Indian Vice-Consul to the staff of His Majesty's Consulate-General at Saigon.

(f) Yes, Sir.

NILAMBUR-SHORANUR RAILWAY LINE

576. *Sri A. Karunakara Menon: (a) Will the Honourable the Railway Member be pleased to state when the Nilambur-Shoranur Line was constructed and what its mileage is?

(b) What was the total expenditure incurred on its construction inclusive of the value of lands acquired for the purpose?

(c) What will be the cost of its restoration?

(d) Are the lands still owned by Government?

(e) Is the policy of restoration of the lines based on public utility, or profits that could be made by running the line?

(f) Are Government aware of the possibility of starting paper-mills and other mills in the area on account of the facility of obtaining large quantities of bamboo and timber at the place and its neighbourhood?

(g) Are Government aware that Nilambur is a great fuel exporting centre?

(h) Are Government aware that the Phykara scheme is proposed to be introduced in Nilambur?

(i) Why do not Government consider the advisability of restoring the line?

The Honourable Sir Edward Benthall: (a) The Shoranur-Nilambur line was opened for traffic in 1927 and its mileage was 41·37.

(b) The capital outlay on the construction of this line was Rs. 80,29,134.

(c) The cost of restoration cannot be stated accurately without an engineering survey, but it is roughly estimated to be about Rs. 20 lakhs.

(d) Yes.

(e) As mentioned by me in the discussions in the Council of State on the 22nd of February, 1943, the restoration of each line dismantled during the war is being considered on its own merits. Due weight is, therefore given, *inter alia*, to the remunerativeness of the project and to its value as a public utility.

(f), (g) and (h). These considerations would affect the remunerativeness of the project. But taking all factors into consideration, the line, if restored, is expected to be unremunerative.

(i) The restoration has been considered in conjunction with the Madras Government and it has been decided not to relay the line.

MANUFACTURE OF AMMONIUM SULPHATE AT SINDRI

577. *Mr. K. C. Neogy: (a) With reference to his answer to starred question No. 232 of the 13th February, 1946, will the Honourable Member for Industries and Supplies be pleased to make a statement as to whether Government obtained a comprehensive idea about the financial implications of the scheme for the manufacture of ammonium sulphate at Sindri, before sanctioning the negotiation of agreements for the supply of plant and machinery, particularly in regard to capital, expenditure, estimated recurring cost, the estimated cost of production of ammonium sulphate and bye-products and the probable selling price thereof as well as the probable profit or loss arising from the entire transaction?

(b) What is the method of production to be adopted in this behalf, and, if there was any choice between different methods, what are the reasons for the adoption of any particular method in preference to any other? Were the advantages and disadvantages of different alternative processes fully explored by Government and are Government satisfied that the process decided upon is the cheapest one and suited to the resources of the country?

The Honourable Mr. A. A. Waugh: (a) Yes, Sir. Information on this subject is contained in the published Report of the Technical Mission appointed to advise on the production of Artificial Fertilisers in India. The present consultants have confirmed the general findings of the Mission, and the information in regard to the capital cost of the project and the production cost of fertilizers, as set out in the Mission Report.

(b) The method of production is explained in the Technical Mission Report, also the reasons for adopting the method to be employed in the Sindri Factory. Government is satisfied that the process decided upon is the cheapest, having regard to the availability of raw materials and the resources of the country.

MANUFACTURE OF AMMONIUM SULPHATE AT SINDRI

578. *Mr. K. C. Neogy: (a) Will the Honourable Member for Industries and Supplies please state: what is the estimated approximate total quantity of gypsum available in India, and what steps have Government taken to conserve the same and reserve its use for suitable purposes? Are the ascertained reserves adequate to meet the present and future requirements of the country for the manufacture of sulphate of ammonia, as also other essential commodities?

(b) Have Government any definite idea as yet as regards the extent to which machinery, other equipment and plant needed for the factory may be manufactured in India? What is the approximate value of such machinery, other equipment and plant that are proposed to be manufactured in India?

(c) Is the Honourable Member in a position to make a statement giving an approximate idea as regards the organisation of the higher personnel to be engaged in running the factory, and what proportion of such personnel will be Indian?

(d) What is the approximate quantity of coke that will be required for running the factory, and what arrangements do Government propose to make for the manufacture or purchase of such coke? Has any definite scheme been considered in this connection? If so, will the Honourable Member give full particulars of such scheme?

The Honourable Mr. A. A. Waugh: (a) The information is given in the Report of the Technical Mission appointed to advise on the production of Artificial Fertilizers in India. Deposits mentioned in this report are known deposits; there may be others yet to be explored. Government is taking full steps to control and conserve reserves of gypsum.

(b) The information is given in the Technical Mission's report. The approximate figures estimated for plant and building structures which can be manufactured in India is Rs. 1·89 crores roundly. Other works to be executed in India amount to Rs. 4·75 crores. The cost of imported plant and services will be Rs. 4·12 crores roundly.

(c) The organization is being worked out. It is hoped that at least 75 per cent of the higher personnel will be Indian.

(d) Approximately 600 tons of coke per day will be required. Government is taking steps to ensure that this supply will be available. A definite scheme is being worked out for this purpose. Details, however, have not yet been settled.

RE-ENTRY INTO MANIPUR STATE OF INDIAN BUSINESSMEN

579. *Mr. K. C. Neogy: Will the Secretary for External Affairs Department be pleased to state whether any representation has been received by Government in regard to re-entry, into Manipur State, of certain Indian businessmen who evacuated therefrom during the war emergency period? If so, will he be pleased to indicate the nature of the grievances represented, and the action, if any, that has been taken on behalf of Government for the removal thereof?

Mr. H. Weightman: The question should have been addressed to the Honourable the Leader of the House. It has accordingly been transferred to the Final List of questions for the 6th March, 1946, when it will be answered by the Honourable the Leader of the House.

EXPENDITURE INCURRED ON LITIGATION UNDER PAYMENT OF WAGES ACT RE ILLEGAL DEDUCTIONS ON NORTH WESTERN RAILWAY

580. *Sri T. V. Satakopachari: Will the Honourable the Railway Member please state:

(a) the expenditure so far incurred by the North Western Railway for:

(i) refund of the amount illegally deducted from the wages of employed persons during the preceding three years;

(ii) payment of the delayed wages of employed persons during that period;

(iii) compensation awarded by the authority appointed under the Payment of Wages Act against the Divisional Superintendents persons responsible for the payment of wages to employed persons; and

(iv) costs in the proceedings under the Payment of Wages Act, showing the (1) travelling allowances of the staff engaged in the proceedings, (2) pay of the staff for the days remained engaged in those proceedings; and (3) costs awarded to the applicants;

(b) the head of account to which the said expenditure was debited; and

(c) the justification of the said expenditure from public money against the spirit and provisions of the Payment of Wages Act?

The Honourable Sir Edward Benthall: (a) Information is being collected in respect of items (i), (ii) and (iii) and will be laid on the table of the House in due course As regards item (iv), I regret I cannot undertake to collect the information, as it would involve an expenditure of time and labour incommensurate with the results.

(b) The refunds referred to in part (a) (i) of this question were debited to the same head of Account to which the deductions were originally credited. The payment of delayed wages referred to in part (a) (ii) were debited to the same head of Account to which the wages of the person concerned are debitable. As regards the compensation awards and the costs referred to in parts (a) (iii) and (iv), the debits were made against Abstract E-1200 or E-1100 as the case required.

(c) The proceedings under the Payment of Wages Act are against the Administration in the person of the Paymaster The Administration therefore defends itself by defending the Paymaster who acts in his official capacity in circumstances connected with his duty Government do not consider that such expenditure is against the spirit and provisions of the Payment of Wages Act.

REMOVAL OF CALCUTTA TELEGRAPHS WORKSHOP AND STOREYARD TO JUBBULPORE

581. *Sree Satya Priya Banerjee: Will the Secretary for Posts and Air be pleased to state:

(a) whether the Government of India have finally decided upon the removal of the 75 year old fully equipped Telegraph Workshop and stores from Aliporc, Calcutta to Jubbulpur;

(b) whether the Telegraph Workshop at Jubbulpur was planned as a security measure, to be a duplicate workshop for war time production; and

(c) the reasons for this decision, if any, of removal after 75 years of continued existence of the Telegraph Workshop and stores at Alipur?

Sir Gurunath Bewoor: (a) No.

(b) The Workshop at Jubbulpore was planned as a means of increasing production during the War. It was also intended to provide an alternative means of production in the event of air raid damage at Calcutta.

(c) Does not arise in view of the reply to part (a).

REMOVAL OF CALCUTTA TELEGRAPHS WORKSHOP AND STOREYARD TO JUBBULPORE

582. *Sree Satya Priya Banerjee: Will the Secretary for Posts and Air be pleased to state:

(a) whether he has received representation from the service organisations such as Indian Telegraph Association, India, Posts and Telegraphs Union and the All-India Telegraph Union protesting against the removal of the Telegraph Workshop and Storeyard from Calcutta to Jubbulpur;

(b) whether his attention has been drawn to the main editorial of the *Morning News*, Calcutta, dated January 16, as also to the editorial comments in the *Amrita Bazar Patrika*, Calcutta Edition, dated January 25, 1946;

(c) the expenses so far incurred by the Government of India to establish the duplicate Telegraph Workshop at Jubbulpur and for opening training classes there and the expenses likely to be incurred to materialise the whole scheme of transfer; and

(d) whether, in view of the prevailing dissatisfaction among the employees and the public opinion against the transfer, he proposes to consider the desirability of appointing a predominantly non-official Committee to go into the whole question in all its bearings before giving effect to the decision of the transfer?

Sir Gurunath Bewoor:

(a) and (b). Yes.

(c) The expenditure on buildings and Apparatus and Plant at Jubbulpore is of the order of Rs. 65 lakhs, including the Departmental Training Centre buildings. Information is not available on the expense likely to be incurred.

(d) The matter is still under departmental examination and Government do not consider it necessary to appoint any Committee at this stage.

* STOPPAGE OF SUPPLIES OF UMBRELLA MATERIALS TO ASSAM

583. *Sreejut Rohini Kumar Choudhuri: (a) Will the Honourable Member for Industries and Supplies be pleased to state if it is a fact that the supplies of umbrella cloth and other materials necessary for the manufacture of umbrellas for the Province of Assam has been recently stopped and that the Province has been directed to take its requirements in ready made umbrellas from the Calcutta Merchants through the Calcutta Umbrella Association?

(b) Has this arrangement been brought into force in any other Province excepting Assam?

(c) If the answers to parts (a) and (b) are in the affirmative, why and when was this action taken?

(d) What is the number of umbrellas which has been allotted for import to Assam for the year 1946?

(e) Are Government aware that due to this order the umbrella factories in Assam will have to be closed down and a large number of employees will go out of employment?

The Honourable Mr. A. A. Waugh: (a), (b) and (c). It is a fact that an allocation of umbrella making materials was not made to Assam when allocations were made to other provinces. The reason was that no report of umbrella-making capacity was received from Assam when asked for although such information was furnished by other Provinces. The information has now been received from Assam, and materials have now been allocated.

(d) 9,000 dozens.

(e) Materials have now been allocated to Assam.

STOPPAGE OF SUPPLIES OF UMBRELLA MATERIALS TO ASSAM

584. *Sreejut Rohini Kumar Choudhuri: (a) Will the Honourable Member for Industries and Supplies be pleased to state if Government are aware that due to irregularities and insufficiency of transport the Province of Assam had suffered in the past for inadequate supplies of the necessaries of life?

(b) Is it a fact that a large quantity of rods used for umbrellas is available in Assam, and that the Province can easily manufacture large quantities of umbrellas if supplies of cloth and steel materials are given?

(c) In view of the hardship which the present arrangement is likely to cause to the umbrella industry as well as to the general public, and, in view of the fact that the rains will set in soon in Assam, do Government propose to release immediately a reasonable quantity of cloth and other necessaries for the manufacture of umbrellas?

The Honourable Mr. A. A. Waugh: (a) Yes, Sir.

(b) Government have not got detailed information, but no doubt the Honourable Member is right.

(c) I would refer the Honourable Member to the answer given to (a), (b) and (c) of question No. 583. I am grateful to him for having brought this case to notice.

UNSTARRED QUESTIONS AND ANSWERS

IMPROVEMENT IN OLD BENARES ROAD FROM CHANDITALA TO SHEAKHALA

48. Mr. Nagendranath Mukhopadhyay: (a) Will the Honourable Member for War Transport be pleased to state what reply if any the Government of India have received from the Government of Bengal in respect of their letter No. R 5(3)/45, dated Simla, the 7th December, 1945, on the subject of the Improvement in the *Old Benares Road from Chanditala to Sheakhala*"

(b) How many representations were received by the Government of India in the matter of the said Road, and what action was taken on them?

(c) Was any money, and if so, how much, sanctioned for the said purpose, and has any money been spent on it? If so, how much? If not, why not?

(d) How does the matter now stand?

The Honourable Sir Edward Benthall: (a) No reply was asked for and none has been received.

(b) Four. The first representation was received in 1938 and after discussion with the Provincial Government the Government of India decided to approve of the work being undertaken at the expense of the Provincial Road Fund Allocation. This decision was communicated to the petitioners in May 1939. The three subsequent representations, which contained enquiries regarding the progress of the work, were forwarded to the Bengal Government for disposal.

(c) In 1939 an estimate was approved for Rs. 3½ lakhs. Later in pursuance of the general policy of stopping all avoidable civil works expenditure during the War, it was decided to suspend work temporarily. Up to the 30th September 1945 approximately Rs. 71,500 had been spent.

(d) The matter is under discussion with the Government of Bengal.

LICENCES FOR SALE OF BOOKS, NEWSPAPERS, ETC., ON NORTH WESTERN AND GREAT INDIAN PENINSULA RAILWAY STATION PLATFORMS

49. Shri Sri Prakasa: Will the Honourable the Railway Member be pleased to state:

(a) if the North Western Railway and the Great Indian Peninsula Railway have any principles in the matter of inviting tenders and granting licences for the sale of books, newspapers, etc., on the station platforms of those Railways;

(b) when the last tenders were invited, and what was the method followed in granting licences; and

(c) whose tenders were finally chosen, and the reasons for the choice?

The Honourable Sir Edward Benthall: (a) Contracts are let out after calling for public tenders and are usually for a period of 5 years.

(b) *N. W. Railway.*—December 1945

G. I. P. Railway.—March 1945.

The contract was granted to the highest tenderer likely to render efficient service to the public.

(c) *N. W. Railway.*—Messrs. Rai Sahib M. Gulab Singh and Sons of Lahore.

G.I.P. Railway.—Messrs. A. H. Wheeler and Company. The above were chosen for reasons enumerated in reply to (b).

LICENCES FOR SALE OF ICE AND AERATED WATER ON CERTAIN RAILWAYS

50. Shri Sri Prakasa: Will the Honourable the Railway Member be pleased to state:

(a) the system according to which licences were granted for the sale of ice and aerated water on the North Western Railway, Great Indian Peninsula Railway, East Indian Railway and Bengal Nagpur Railway;

(b) the number of free passes permitted to the licencees to travel on the Railways concerned; and

(c) the class in which the licencees can travel on the various Railways; and if any discrimination is made among the different licencees?

The Honourable Sir Edward Benthall: (a) *N. W. Railway*—For the purposes of sale of Ice and Aerated Waters in trains as well as at stations, the N. W. Railway System has been divided into four Sections, *viz.*, Northern, Southern, Eastern and Central. In 1945, contracts for the above Sections were let out for a period of 3 years after inviting applications through the press from manufacturers of Aerated Waters running suitable Aerated Water factories.

G.I.P. Railway.—The licence for the sale of Ice and Aerated Water on trains was given to the contractor who held the contract for the Dining Cars, this being considered the most satisfactory arrangement. The Refreshment Room Contractors at stations are also permitted to sell Ice and Aerated Waters. The Food Stall contractors at stations can also sell Aerated waters.

E. I. Railway.—The contract for the sale of Ice, Aerated Water, and Cordials over the entire system is held, since 1924, by Messrs. Carlsbad Mineral Water Manufacturing Co., who were found to possess the best and most up-to-date plant.

B. N. Railway.—The licence for sale of Ice and Aerated Waters in trains is granted to one contractor for the entire Railway. The licences for sale in station premises are granted to the Indian Catering Contractors of the sections concerned.

(b) and (c). *N. W. Railway.*—4 second class, 4 inter class, and 11 third class season passes for the whole contract section. 35 third class season passes for specific beats within the contract section.

In addition to the above, occasional second class cheque passes were allowed to licensees of Northern and Eastern Sections, and first class cheque passes to licensees of Southern and Central Sections for supervision work.

G. I. P. Railway.—Free third class passes are allowed to vendors in charge of the sales on trains. Information as to exact number of passes is not available.

E. I. Railway—One first class, 5 second class, 5 inter class, and 4 third class, season passes.

B. N. Railway.—The train vending contractor has been granted 5 second class, 7 inter class and 4 third class season passes.

Except on the N. W. Railway, the question of discrimination with regard to the class of passes does not arise. On the N. W. Railway, there is a difference in class in the matter of occasional cheque passes allowed to licensees of the various sections as mentioned above, and the Railway Board are enquiring into the necessity of continuing this practice.

SCHEME FOR LAYING CERTAIN NEW RAILWAY LINES CONNECTING MYMENSINGH TO GAUHATI, ETC.

51. Mr. K. C. Neogy: (a) Will the Honourable the Railway Member be pleased to state whether it is proposed to construct a Railway line from Gauripur (Mymensingh) Junction to Gauhati, and a line from Singhjani Junction to a proposed junction station on the former line at Paikura *via* the Sherpur town? If so, what stage has been reached in the consideration of the scheme, and when is the construction likely to be taken in hand?

(b) What will be the alignment of the Singhjani to Paikura line, particularly in the neighbourhood of the Sherpur town? Is it a fact that a particular alignment was adopted by the District Traffic Superintendent (Survey) in accordance with the recommendation of the District Magistrate of Mymensingh, and in conformity with the opinion of the local public as represented by the Sherpur Peoples' Association and the Sherpur Merchants' Association; but that at a later stage another Railway officer advised some persons at the Sherpur town to ask for a different alignment?

The Honourable Sir Edward Benthall: (a) The project of a railway line from Gauripore (Mymensingh) to Pandu near Gauhati, is under investigation. A line from Singhjani *via* Sherpur to Bangaon or some other point on the projected Gauripore-Pandu line, is also under vestigation. The decision whether to construct these lines or not will depend on the results of the surveys now being carried out and until this decision is taken, it is not possible to say when the construction of the lines will be taken in hand.

(b) The alignment between Singhjani and Bangaon will be fixed in accordance with the result of the survey now in hand. Government have no information about the change of alignment referred to in the latter part of the question.

RAILWAY RECEIPTS ON ACCOUNT OF CIVIL AND MILITARY TRAFFIC

52. Mr. K. C. Neogy: Will the Honourable the Railway Member please state:

(a) the extent of military passenger traffic, in passenger mileage, carried by the Indian Railways during the years 1938-39 to 1945-46, separately, for each year;

(b) the rate at which military passengers are charged as compared to the rate at which civilian passengers are charged,

(c) the Railway traffic receipts in regard to (a), separately, for each year;

(d) the number of military special trains run by Railways in the above years, separately, for each year;

(e) the Railway receipts in respect of (d), separately, for each year;

(f) the amount of other coaching earnings from military traffic for the above years;

(g) the rate at which the coaching traffic for the military has been charged by Railways;

(h) the extent of military goods traffic carried by Railways in ton mileage in the above years, separately, for each year;

(i) the rate at which this goods traffic has been carried as compared to the rate at which the civilian goods traffic is charged; and

(j) the total goods traffic receipt of Railways in respect of military goods traffic in all these years, separately, for each year?

The Honourable Sir Edward Benthall: (a) Passenger-mile figures are not separately available for Military passengers carried by ordinary passenger trains. The *total* passenger mileage civil and Military however was as follows:—

Total Passenger Miles (All Railways)

Financial year	(Figure in thousands)
1938-39	18,742,793
1939-40	18,522,052
1940-41	19,928,619
1941-42	22,020,108
1942-43	24,352,756
1943-44	32,506,067
1944-45	37,590,722
1945-*(From 1-4-45 to 31-10-45	23,489,611

(* Figures only for Class I Railways.)

Military Special Train Miles (Personnel including prisoners of war) are however available for 1943-44 and 1944-45 and are as follows:—

All Class I Railway (BG & MG)

(Figures in Units)

1943-44	1944-45	1945-(Form 1-4-45 to 31-10-45)
3,236,172	4,985,093	4,626,966

(b), (g) and (i). The Honourable Member is referred to Rules 22 and 30, and Schedule at page 49, of I. R. C. A. Military Tariff (No. 1) Appendix K/1 to I. R. C. A. Coaching Tariff (No. 14) and Chapter VII of I. R. C. A. Goods Tariff (No. 266), Copies of which are in the Library of this house.

(In thousands of rupees)

(c), (e) and (j)	1938-39	1939-40	1940-41	1941-42	1942-43	1943-44	1944-45	1st April 1945 to Nov. 1945
(c) Military, Passengers.	33,98	36,58	81,05	1,84,93	4,71,03	8,03,33	9,66,37	5,94,39
(e) Special trains and Reserved Carriages Military.	19,79	36,24	86,17	1,63,75	4,28,82	5,51,24	13,14,87	10,38,88
(j) Goods Traffic Earning—Military.	30,52	43,62	1,49,79	4,24,19	9,89,54	14,12,45	20,78,52	13,25,26

(d) Financial year	Number of Military specials run during the year, including military mail trains
1938-39	348
1939-40	780
1940-41	1,985
1941-42	3,630
1942-43	4,824
1943-44	9,036
1944-45	11,696
1945-46 (1st April 1945 to 31 December 1945)	11,522

(f) It is regretted, the information is not separately available.

(h) The information asked for is not available in exactly the form required, but the following relevant information is given.

Military goods tonnage originating carried by ordinary goods trains was as follows:

(In Hundreds)

Financial year	Tons originating	
1938-39	324,5	Excludes Bikaner State Railway.
1939-40	434,2	
1940-41	1,477,6	
1941-42	3,837,6	Includes Bikaner State Railway.
1942-43	9,373,3	
1943-44	11,630,7	
1944-45	16,295,1	
1945 (From 1-4-45 to 31-10-45)	9,036,7	

Net ton Miles of freight carried in Military Stores Specials is available for 1943-44 and 1944-45. The figures are (in units).

All Class I Railways (BG & MG.)

1943-44	1944-45	1945 (From 1-4-45 to 31-10-45)
*772,764,378	2,467,845,660	1,025,119,522

*Information for full year of B. A., G. I. P., Bikaner State, Mysore State and O. T. Railways is not available.

TANGI-TANGAIL-SINGJANI RAILWAY PROJECT

53. Mr. K. C. Neogy: (a) Will the Honourable the Railway Member be pleased to state the present position of the Tangi-Tangail-Singjani Railway Project in the Districts of Dacca and Mymensingh in Bengal?

(b) In view of the acute traffic difficulties obtaining in the Tangail Sub-Division of the Mymensingh District do Government propose to give early effect to the project, making at the same time adequate provision for safeguarding public health and natural drainage?

(c) Are Government also considering the advisability of opening a feeder Railway line from Pingna on the river Jumna to Gopalpur on the proposed Tangi-Tangail-Singjani Railway, and thus affording the shortest possible alternative route between Calcutta and Dacca *via* Sirajganj Ghat, Pingna, Gopalpur, Tangail, Tangi, etc.?

(d) Have Government got any other alignments under consideration to remove the traffic difficulties of the Tangail Sub-Division?

The Honourable Sir Edward Benthall: (a) The project is not included in the list of lines approved for investigation.

(b) On grounds of irrigation and public health, the Bengal Government are opposed to the consideration of the project.

(c) The answer is in the negative.

(d) The answer is in the negative.

SHORT NOTICE QUESTION AND ANSWER

INDIA'S STERLING BALANCES

Mr. Manu Subedar: (a) Has the attention of the Honourable the Finance Member been drawn in a London message to a declaration of British officials that the sterling "balance is frozen in Britain where it must be held to prevent a possible cattastrophe to Britain and world economies";

"India and Britain will negotiate on an agreement to scale down the debt seeking a settlement similar to that in the loan agreement under which the

United States agreed to scratch off the major portion of Britain's obligations for lend-lease";

"If the United States Congress does not approve of the loan, India may have to wait 'two hundred years' for the repayment of sterling balances"?

(b) Have Government protested to his Majesty's Government against this attempt to make comparisons between what is owing to India and the lease-lend facilities provided by America?

(c) Have Government conveyed that India resents any officials of His Majesty's Government countenancing such mischievous and hostile propaganda?

(d) Will they now do so?

(e) Will the Honourable Member give to the A.P.A. representative in India for being sent to London as well as to U.S.A. a statement conveying the Indian feeling on the subject of sterling balances, and indicate the solid resistance which any attempt to scale down sterling balances will meet from all parties and all quarters in India?

(f) Will the statement also contain the fact that the mobilisation of British assets in India has been suggested?

The Honourable Sir Archibald Rowlands: (a), (b), (c) and (d). Long experience has taught me now to pay too much attention to newspaper reports of interviews with particular individuals. I have, however, telegraphed to London in an attempt to establish the authenticity of the reported interview.

(e) and (f). No, Sir.

Mr. Manu Subedar: May I know whether the British officials in this case were the Treasury officials of the United Kingdom and whether they spoke with the authority of His Majesty's Government, who have recently refused to start immediate negotiations with India?

The Honourable Sir Archibald Rowlands: That is precisely the kind of point I am trying to elucidate.

Mr. Manu Subedar: With regard to parts (e) and (f) may I know why the Honourable Member will not issue a public statement giving India's position on this subject, in view of the fact that even Mr. Amery deprecated comparisons between the lease-lend of America and the debt owing to India, and also in view of the fact that on this subject there is no difference whatever among different sections of the House?

The Honourable Sir Archibald Rowlands: Because, Sir, I regard it as inappropriate, and indeed unseemly, for one Government to define its attitude to another Government through the medium of a press interview. If the A.P.A. representative knows his job—and I am sure he does, otherwise he would not keep his job—he is fully acquainted with the feeling of India on the subject.

Mr. Manu Subedar: How can this Government permit propaganda hostile to Indian interests to be carried on in the U.S.A. without counteracting it? And may I know what steps the Honourable Finance Member will take on the subject?

The Honourable Sir Archibald Rowlands: The Government of India do not consider that the United States Government have any locus, and indeed I do not think they have claimed any locus, in a matter which affects bilaterally India and the United Kingdom alone.

Sri M. Ananthasayanam Ayyangar: May I know if the Ministers who are coming here will discuss the matter of sterling balances here?

The Honourable Sir Archibald Rowlands: I have not yet been placed in the confidence of the three Ministers in question.

Mr. Manu Subedar: Have this Government considered that it will be a very bad augury for the three Ministers and the distinguished delegation which is coming here if on this subject the attitude of the British Government is not very clearly expressed and is misrepresented, as the Honourable Member claims, in the A. P. A. interview?

The Honourable Sir Archibald Rowlands: This Government is well aware of the feeling of India on this subject and I have taken steps about it.

Mr. Manu Subedar: Will the Government of India make an attempt, in the interests of any understanding, which it is everyone's hope may be reached when this delegation arrives, to induce the British Government to make their position clear and not to leave it as in this very mischievous interview?

The Honourable Sir Archibald Rowlands: I think the Honourable Member may be satisfied that the three Ministers in question will do all they can to create the necessary atmosphere in order to achieve the solution for which we all hope

Prof. N. G. Ranga: Will the Government of India take the opportunity of their visit to India and present to them the point of view of India in regard to this particular problem and also give an opportunity to the members of the Committee to meet them in regard to this particular matter?

The Honourable Sir Archibald Rowlands: That is going a little too far ahead; but my Honourable friend may be satisfied that I have not omitted any opportunity of making it plain to His Majesty's Government what the view of India on this matter is

Mr. Manu Subedar: May I know whether the Government of India will publish in the form of a white paper or a statement the position of India as represented by them with regard to these sterling outstandings?

The Honourable Sir Archibald Rowlands: I am not very clear as to what the Honourable Member has in mind If he wants me to publish the correspondence between the Government of India and His Majesty's Government, I am afraid I must decline.

Mr. Manu Subedar: No, it is not correspondence My point is, let the world know what the position of the Government of India is with regard to the sterling balances, and let the A P A representative in India know it, in order that he may send it down to America.

The Honourable Sir Archibald Rowlands: The duty of the Government of India is, *inter alia*, to represent to His Majesty's Government the feeling in India generally, and in this House in particular, on important subjects and that has been done.

Sri M. Ananthasayanam Ayyangar: As the officials of His Majesty's Government have taken the press into confidence and issued a statement with reference to this subject, why do not the officials of this Government issue a similar statement?

The Honourable Sir Archibald Rowlands: I have answered that.

Sri M. Ananthasayanam Ayyangar: I am not satisfied with that answer; it is dubious, and that is why I ask this.

The Honourable Sir Archibald Rowlands: It is very difficult to satisfy the Honourable Member.

RAILWAY BUDGET- LIST OF DEMANDS—*contd*

SECOND STAGE—*contd.*

DEMAND NO. 1—RAILWAY BOARD- *contd.*

Pilferage and delays in settling claims

Mr. President: The House will now take up the cut motions on the Railway Budget demands. The European group will move their cuts today.

Mr. C. P. Lawson (Bengal: European): Sir, we should first like to move cut No. 13 which deals with pilferage. In the previous debates the unsatisfactory conditions of travel have been fairly dealt with, and so we shall confine our remarks on this cut to the question of pilferage and delays in settling claims without touching on the unsatisfactory conditions in lower class travel which have already been covered. Then, if I may go just a little further, we would

[Mr. C. P. Lawson]

like when that cut is completed to take up cut No. 12 under which we wish to discuss the financial position of the Indian Railways with particular reference to the ways and means whereby the increased operating costs are to be met. We realise that the financial position of the railways *per se* has been rather fully discussed, but the means whereby the increased operating costs are to be met have not fully been discussed; and that is a point that we would particularly like to cover. Probably these two items will cover the whole of our time which is up to 4 P.M., but if any time remains we may ask your permission and the permission of the other parties in the House to move cut No. 1 on Supplementary List No. 2 under which we seek to discuss the need for a careful review of the assets of the Indian railways as an essential preliminary to a revision of the existing Convention.

I hope, Sir, that will have your assent and the assent of the House.

Mr. President: The position appears to be clear in respect of the first two cuts. The order will be, Cut No. 13 will be taken up first and after that is disposed of, No. 12 will be taken up. As parts of these two Cuts have already been discussed on other Cut Motions, the discussions in respect of these will be restricted only to such items as have not been covered in previous discussion in this House on other Cuts.

Under Cut No. 13, the only questions to be discussed will be questions of "pilferage and delays in settling of claims". The other point made out in the Cut—"unsatisfactory conditions of travel generally"—will not be touched because it has already been covered by Cut No 5

As regards Cut No 12, the only question to be discussed will be . . .

Mr. Sasanka Sekhar Sanyal (Presidency Division, Non-Muhammadan Rural): On a point of order . . .

Mr. President: I have not yet finished The Honourable Member will first hear me.

As regards Cut No. 12, the only question to be discussed will be 'the ways and means whereby the increased operating costs are to be met," and the "general financial position of the Indian Railways" will not be discussed under this Cut.

So the scope of discussion under these two cuts will be a restricted one.

As regards Cut No 14, it is clear that it is barred by the discussion on Cut No. 7. The Honourable Member wishes to move some other cut motion which is included in one of the supplementary lists. In case his group has time enough to move a third one. We will consider that position when the time comes, but I may make one thing clear that, the arrangement having been arrived at by agreement of all parties, I would not like to have a change made unless all parties agree to another cut being taken up.

Now, what has the Honourable Member got to say?

Mr. Sasanka Sekhar Sanyal: So far as Cut No 13 is concerned, you have been pleased to observe that the last portion—namely, unsatisfactory conditions of travel generally—will not be included in the debate. May I know, Sir, if any points which were not touched upon by Members during the previous debate in this connection cannot be raised now. In the previous debate some general points were discussed, but 'unsatisfactory conditions of travel' may raise absolutely new points and I hope that you will give your ruling on that.

Mr. President: Discussion of a subject includes covering all the points that can possibly be raised in a discussion. Therefore it appears to me clear that if certain points were not made out then, they cannot be made out now. It is something like the principle of *res judicata*.

Mr. H. G. Stokes (Bombay: European): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The object of this motion is to discuss pilferage and delays in settling of claims.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Will the Honourable Member speak up: we cannot hear him.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Even your language can be distinct!

Mr. H. G. Stokes: Pilferage falls under two heads—pilferage of luggage and pilferage of goods. I do not altogether like the word 'pilferage' because I feel that it is probably better described as 'organized banditry'. There is, I think, a wave of crime sweeping the world. Some Members may have seen from the papers what is happening in London and the special measures taken to deal with organised raid and there is every evidence that in India too it is highly organized. It is probably a legacy of the war and of the economic situation which makes theft now-a-days a very paying profession. It is certainly not peculiar to India, and I would like here to quote figures which I have found in the Report of the Standing Finance Committee for Railways (No. 3) for their meeting on the 26th, 27th and 30th of January last. The Committee says this:

"The Committee view with alarm the estimated expenditure of Rs. 1,51,45,000 in the year 1945-46 on account of compensation for goods lost or damaged and the provision of Rs. 1,16,92,000 for the same purpose in 1946-47."

I think those figures show the extent to which the evil has spread.

In speaking of it, I would like to speak with particular reference to conditions that are prevailing on the Bengal and Assam Railway. The evil appears to start and have its headquarters at Jagannathganj . . .

Prof. N. G. Ranga: That is an American-managed Railway.

Mr. H. G. Stokes: Not now. Jagannathganj, as Honourable Members know, is the point where you leave the river steamer and start your journey up into Assam. There seems to be quite a usual procedure there. When a person arrives, if he has any heavy luggage at all, he is told that there is not room enough on his tram for it to go with him; it must follow by a later train. And that, Sir, is probably the last he ever sees of his luggage. If it is eventually delivered to him, he nearly always finds that it has been broken open and there has been considered pilferage. I would like here to quote two actual cases for the information of the House. The first, Sir, is the case of a lady who was a passenger from Kashmir to Silchar. From Rawalpindi to Calcutta everything went well. She had to change at Lahore and there, her four pieces of heavy luggage were put into the brake van without any trouble and it arrived perfectly safely at Calcutta. All the way down she testifies that she received every consideration from the Railway staff who were most efficient. She left Calcutta and went up on her way to Silchar and there at Jagannathganj conditions were very different. First of all, there was trouble with the ticket-collecting staff who wished to put extra people into her carriage though all the seats were fully booked and then, Sir, happened what I have just said: She was told that her luggage could not go with her and though she had paid excess on it and had a receipt, it must come by a later train. Of course when that train arrived at Silchar the luggage was missing. It was delivered a long time afterwards one trunk had been broken open and a lot of articles had been stolen.

Here is another and I think more serious case. It concerns a passenger from Taliapara (Sylhet) to Silchar, not a very long journey. He lost altogether one steel trunk, one suit case, one case of guns, and one case of radio batteries. Probably I suppose because guns were in question the police in this case bestirred themselves and they recovered the guns and the batteries. They ran a case against a railway employee who was convicted and sentenced to 18 months R.I. But, Sir, there is still no sign whatever of the trunk or the suit-case and I do not suppose they will ever turn up.

Now, Sir, those are two typical cases of banditry of luggage. I would now like to say a few words about the position in regard to goods. I speak again particularly in regard to Assam and I leave it to Honourable Members who speak after me to speak of their districts or their various provinces.

[Mr. H. G. Stokes]

The position is very bad indeed. The pilferage or the banditry is chiefly confined to foodstuffs which is very natural, I suppose, and particularly to mustard oil which is of course in great use for the tea garden labourer. Pilferage in that case has assumed really very alarming proportions and it is very rarely that a consignment comes through without very heavy loss indeed. The railway staff when complaints are made blame bad shunting and rough track but I do not think that that can possibly be held responsible for drums which are found with the bungs removed and with large nail holes through the bottom through which the contents have been extracted. Again, Sir, I have a certain amount of information about theft or loss of carriage fittings In November last, on one section of the Bengal Assam Railway, the loss of carriage fittings, such as cushions, looking glasses, hat hooks and that sort of thing amounted to no less than Rs. 15,237. Well, Sir, who is responsible? We cannot blame the soldiers because there are no soldiers now and I really do not think that the average upper class passenger seeks to recoup himself for the fare which he has paid by going off with say a carriage cushion or a hat hook or a looking-glass or something like that? The thefts must, I think, occur in the yards or in the station somewhere and I do suggest that there must be something very wrong indeed with the Watch and Ward if there is not only this cannabalisation, as I think it is called, but also the very serious position in regard to luggage and in regard to goods of which I have already spoken.

Now, Sir, I pass to delays in claims Here I have many complaints from Assam, but I have also got many complaints from all over the country. I quoted just now to the House a case of a passenger who had lost his guns. Well, Sir, the guns were recovered but the luggage, as I said, was not, and a claim for compensation was put in. It is now twenty months since that luggage was lost and it is 13½ months since the railway employee in that case was convicted for theft, but there is no compensation whatever so far from the railway.

Mr. Ahmed E. H. Jaffer (Bombay Southern Division: Muhammadan Rural): The National Government will pay!

Mr. H. G. Stokes: I am very glad to hear it.

I have here a circular letter from the Bengal Chamber of Commerce to its members, and I do not think anybody will hold for a moment that the Bengal Chamber of Commerce is not a sober body or is, at any rate, given to any sort of hysteria. At the end of 1944 the Chamber wrote to the Railway Board and they summarised the various headings under which they had complaints in respect of gross delays in the payment of claims. I would like to give the House those headings. I think they are very informative:

(a) failure, for months on end, to extract from the railways anything more than a stereotyped acknowledgment (if any is forthcoming) of an enquiry or claim, stating that the matter is under investigation;

(b) relays up to a year and more between the submission of the claim and its disposal, even in quite clear cases;

(c) prolonged delays said to be due to accounts certification (I am afraid I do not know what that is) in actual payment after admission of the claim;

(d) failure of the Railways to take adequate steps to trace consignments lost or misdelivered;

(e) even in cases where loss of or damage to goods has been the subject of prolonged correspondence, an increasing tendency on the part of the railways to repudiate the claims months afterwards on technical grounds under Section 77 of the Indian Railways Act.

(f) non-receipt or loss by the Railway Claims Section of the papers;

(g) lack of co-ordination between the State Railways in following up goods reported to be lost in transit.

That was sent towards the end of 1944 and the Railway Board sent a very sympathetic reply, a reply that possibly they hoped would turn away the wrath,

in which they said that they were taking steps to reduce the incidence of theft, they were strengthening and reorganising their Claims Department to speed up disposal, and that they were issuing instructions to all railways that Section 77 should not be so rigidly adhered to. I do not mind telling the Railway Board that the Bengal Chamber do not find the position in any way improved and they are at this moment collecting further ammunition to shoot.

I think we must all admit that the railways must exercise every care in investigation of claims, but I do submit that there is such a thing as undue care. After all it is not good business for a Railway to get the reputation of haggling and of delaying the settlement of claims. My honourable friend, Mr. Siddiqi, is not here, I am sorry to say, but I am sure that as an insurance magnate, he would agree with me that prompt settlement of claims is one of the very best assets that an insurance company can possibly have. Now, Sir, the railways for some years have been in the happy position of not having to worry about freight or passengers. They have had offered to them all and far more than they could carry. But I submit, Sir, that that time will come to an end and when it does, the railways will, I feel, be only too anxious to get the freight and at that time if they have a lot of dissatisfied customers it is not going to do them any good. In their own interest, surely, they should see that they do everything possible to expedite these claims, the delay in which is causing intense irritation amongst the general travelling public and the commercial community.

Now, Sir, before I conclude, I want to refer to two matters which have been specially raised by Assam. The first is that my friends up there want a restoration of the Goalundo Chandpur Service. That service was in the past a tremendous boon, particularly to Sylhet. My friends have pressed for it to be reopened on numerous occasions but have got no satisfaction out of the railway. The railway says that the river transport there is much longer than it is by the Jagannathgunj route and that therefore they will lose revenue. There is an old adage about casting bread upon the waters, that it will come back to you after many days and I would suggest that the railways might go in for casting a little bread in this particular respect.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Food shortage!

Mr. H. G. Stokes: There is certainly food shortage but the bread will come back all the same.

My last point is that our friends in Assam feel that with the passing of the A. B. Railway and the transfer of the General Manager's Office to Calcutta their needs are overlooked. Out of sight they say, out of mind. I can understand that rather well, because I used to have plenty of dealings with Assam in the old days when the A. B. line was in existence, when the General Manager was located in Chittagong. I was always very struck by the evident desire of the General Manager and of the commercial staff to maintain a very close touch with the area which this railway served and by the General Manager's readiness to investigate and to rectify as far as possible all complaints. Assam has been called the Cinderella Province and, if I remember rightly, Cinderella had only one asset and that was her beauty. Assam is a very beautiful province all over but Assam has other assets too. She has got her own freight and there is a lot of freight going out and coming in. As I said, the railway will want freight and I submit it is to the interest of the B. & A. Railway to maintain the closest touch with customers who are going to be of great use to them in the future and I hope that this view will find acceptance with the General Manager of the B. & A. Railway.

Sir, I have nothing more to say. I commend this cut motion to the House and I move.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Khan Bahadur Zafar Hosain Khan (Government of India. Nominated Official): Sir, my Honourable friend Mr. Stokes has referred to pilferages and delays in the settlement of claims. Railways have had their own difficulties. They have had operational difficulties due to the war resulting in misdespatches and increase in thefts, which my Honourable friend has called attention to. There has been heavy increase in traffic with the resultant congestion in goods shed and parcels offices leading to damage through delays and lack of adequate storage. Then there has been the inevitable dilution of staff and their replacement by untrained and partially trained personnel (many on a temporary basis of employment). Poor quality of new entrants to fill new posts created to deal with the greatly increased traffic and difficulty in recruitment. Last of all there has been a great number of thefts and pilferages due to the heavy rise in commodity prices rendering thefts more profitable, black market operations, famine and food shortage conditions resulting in bleeding of wagons through crevices and running train thefts, blackout conditions facilitating robbery and disturbances and breaches over certain railways.

The phenomenal rise in the number and amount of claims paid by Railways has been for sometime a matter of considerable concern to the Railway Board who after personal discussion with the General Managers of Railways issued instructions from time to time impressing on them the necessity of strengthening their claims investigating and settling organisations, improving their Watch and Ward arrangements; adopting other necessary preventive measures and initiating periodical discussions with the police so as to review from time to time the measures in force for the safeguarding of the Railways property and goods in transit. The Railway Administrations on their side were not slow in implementing the instructions issued to them but there is necessarily a considerable time lag before results can become apparent on account of the serious handicaps under which they are still working. They have adopted a number of remedial measures, some of them are appointment of additional Watch and Ward staff, enforcement of the instructions for loading of foodgrains, flour, sugar, etc., away from the flap doors of wagons and closing the opening between the flap doors and floors of wagons with various types of packing material, improving the fitting of flap doors so as to prevent extraction through crevices of flap doors of wagons carrying foodgrains and greater care in handling goods at loading, transhipment and terminal stations.

The matter was also discussed with the General Managers at their meeting with the Board in June 1945 when an analysis of the payments made on various counts revealed that there had been a tremendous rise in the payments made on account of claims in respect of goods lost or stolen. The Railway Administrations were again asked to review their Watch and Ward organisations and take all the necessary steps to carry out the strengthening of their watch and ward staff.

My Honourable friend has referred to the delays in the settlement of claims. The necessity of speeding up of the settlement of claims has been impressed upon the railways from time to time and as a result claims investigating and settling organisations of railways have been considerably strengthened to cope with the heavy increase in the number of claims preferred. Another step taken to speed up settlement of claims (my Honourable friend referred to accounts certificate and lack of co-ordination between Railway Administrations) was a convention agreed upon among the principal Railways in order to eliminate unnecessary correspondence in regard to questions of inter-railway liability. Under this convention which came into force in November 1943, claims up to Rs. 25 are borne entirely by the paying Railways and claims exceeding Rs. 25 but below Rs. 1,000 are debited to a common pool, the total debit to the pool being divided monthly among the Railways in proportion to the amounts paid by them as compensation during the past three years. This convention has considerably reduced the time for the payment of claims.

We have certain figures also from railways showing the improvement made in this respect and I will only quote one or two instances.

The B. A. Railway, to which my honourable friend has referred, in 1944-45 took about 82 days to pay the claims on an average. This time has now come down to 72 days, and of course we hope that this time will be further improved. On the East Indian Railway from 32 days in 1944 it has come down to 22. On the N. W. R. it has come down from 40 to 29 days.

Shri Sri Prakasa: Mr. President, it always gives me a unique type of pleasure when I find myself in agreement with non-Congress non-official organisations in our country. I have always felt that the problem of India was not a racial one but entirely a political one, and I have always tried to impress upon my non-official European friends that they should make common cause with us to attack the Government, whether the members of Government are Indian or English. The colour of their skin makes very little difference; and my thesis has been amply proved by the fact that a non-official European is criticising the administration and an official Indian is found to defend this government.

But my chief purpose in rising this morning is to save my friend Mr. Stokes from a possible charge that might be levelled against him. For no doubt he and his group are the direct descendants of the East India Company and we also know that the first managing agent of that company, Robert Clive, was a great pilferer in his own time. It is reported that when he was arraigned before a competent body for not only his pilfering but also his brigandage, he said, "My lords, I am amazed at my own moderation". Lest the railway officials turn round and remind Mr Stokes of this and also repeat to him the story of Alexander and the robber and tell him that they have pilfered him very much less than he has pilfered them, I feel that as an honest man who has pilfered nobody, I might make a legitimate complaint against being pilfered myself by Government and its great railway department . .

Mr. Ahmed E. H. Jaffer: Is the Honourable Member speaking on the cut motion?

Shri Sri Prakasa: Yes. My only sorrow is that Mr Stokes is only trying to pilfer the Government of a petty sum of Rs. 100. He should have followed our example of yesterday and pilfered the whole lot

Mr Stokes has given many examples of how luggage is lost on Indian railways. In England no receipts are taken of luggage that is booked and you invariably find that luggage safely at the termination of your journey. But here, despite railway receipts we are often in danger of losing our whole luggage; and that is the reason why, despite rules on the subject, passengers insist on carrying all their luggage with them in the compartments. They inconvenience each other, and still for fear lest the luggage be lost if they book it and leave it to the tender mercies of the guard and other officials, they carry all their luggage with themselves in their own compartments. If there should be an assurance that our luggage will be safe in the custody of the railway, most of us would be glad to remove all that encumbrance from our own compartment and entrust our goods to the guard That not being so, we inconvenience each other and carry all our luggage with ourselves. I have little doubt that Mr. Stokes would also be doing the same.

It is little consolation to be told by Government that the men are inefficient, that they are having troubles because of the war and that we should be generous and considerate. It is little comfort to me to be told that the railway officials are not what they ought to be when I have lost my luggage. I do not think that I am prepared to excuse the railway administration because they tried to help in a war not of our seeking. In any case this excuse cannot hold much water, and I want my luggage as I have entrusted it to the person who has taken charge of it; and I am not going to excuse him simply because he can trot out some reasons for the loss of my goods.

My own experience of railway pilferage is not so extensive as that of Mr. Stokes and his lady friends. It is more or less confined to my attempts at sending out Benares mangoes that are famous, to my friends who live in other

[Shri Sri Prakasa]

parts of the country. Last year I had the unique experience of having almost all my parcels completely pilfered; and when I complained of it to the relevant authorities, they took long weeks to acknowledge my complaints and still longer months to make good the loss. . .

Sir Cowasjee Jehangir (Nominated Non-Official): We have never had the pleasure of receiving any mangoes from you!

Shri Sri Prakasa: My honourable friend lives in Bombay and I am quite prepared to exchange *alphonsos* for *langras*. Sir, when I had lost these mangoes and I complained of it to the Chief Commercial Manager's office, E.I.R., I got them to listen to my complaints with some difficulty, and after long delays. In the case of one parcel that I sent to Agra, I was pontifically informed that I should go to the Great Indian Peninsula Railway officers in Bombay. I believe the railway is only what is called in law 'a common carrier', and when I have entrusted my goods to this common carrier, it is from him that I have every legitimate reason to call for an explanation and not to pursue another common carrier to whom this common carrier had entrusted my goods. I gave up chasing my mangoes, writing to this company, the E.I.R., that I could not possibly go on corresponding to the end of my life for the loss of a parcel of mangoes and being shunted from one company to another till I was blue in the face. I had thought that after a letter like that, the company would attend to the matter, apologise to me and accept their responsibility, and find either the mangoes or their adequate price. But I believe they were very glad that they were free from my attentions and I never heard from them again.

I can assure you, Sir, and also those who are in charge of these Railways that I had very carefully packed those mangoes in a wooden box, had put steel bands all round; but as an old saying in my language goes, 'the stronger the lock, the cleverer the thief'. And despite all this careful packing I lost all my mangoes. I should not say all. Three were left out of 120 that I had sent; and in Benares luckily in the case of mangoes 100 means 120. The gentleman to whom I had sent it, wrote back to say that he sent the railway receipt to the railway station but his servant found that the box was absolutely smashed and there were just three mangoes lying about. In disgust the servant left the three mangoes also for the railway officials to utilise and came away. In the hope of recovering the remaining 97 I wrote up to the railway in vain. In fact I sent all the correspondence on the subject in original to the railway authorities and they kept the correspondence. So, it was not much good my trying to pursue the G. I. P. authorities in the city of my Honourable friend Sir Cowasji Jehangir, as all my evidence too was thus lost.

Now, Sir, one of the things I might suggest to the railway authorities, if they would listen to me, is that they should have their claims offices at more places than one. At the present moment, the East India Co happens to have an office of the Chief Commercial Manager at Benares also. It is possible that claims may be attended to with greater promptness if there were more offices than one. I have reason to believe that the railway authorities are thinking of taking back the Benares office to Calcutta because they have no more any danger from the Japanese. I understand, Sir, that Benares became a particularly favourite place of Government in the days when they were in danger from Japan because of its vicinity of Sarnath, a place sacred to the Japanese as well, and one high official of Government actually said in a Town Hall meeting in Benares that though we may all feel very safe from the Japanese because we have Sarnath there which is their sacred place as well, still we should not feel absolutely secure because there is the Dufferin Bridge to bring them across. In any case the Railway authorities felt fairly safe in Benares and they conveniently made that a centre of operations for their Commercial Manager's Office.

Mr. President: The Honourable Member may now remember his time limit.

Shri Sri Prakasa: Sir, I hope to live long. (Laughter.) I cannot understand why my Honourable friends are laughing. I hope that the experience of the Benares office has been satisfactory and if it has been satisfactory, I hope that other railways will follow suit and have more offices than one. Then I think that claims should be attended to quickly; and I also hope that instead of defending their officials in the way my Honourable friend opposite has done this morning, he would send a strong warning to his subordinates on all railways and tell them that any pilferage or brigandage will be seriously dealt with. Attempts to shield their officials in this manner is the cause of much trouble. When they feel certain that they will be defended from the top even when they carry on brigandage on a large scale like this, they feel that they can snap their fingers at mere passengers and customers like ourselves; but if they also know that the persons at the top are going to sit tight on them they would not behave half as badly as they do.

Mr. Ahmed E. H. Jaffer: I rise to wholeheartedly support the cut motion moved by my Honourable friend Mr. Stokes and I sincerely sympathise with him in his tale of woe.

I shall first deal with pilfering, and deal with settling of claims later. I should first like to refer to the despatch of fruit parcels. Our friend Sri Prakasa has referred to his parcel of mangoes. Speaking from my own experience I can say that I sent a fruit parcel from Poona to Sirsi in North Canara and although three months have elapsed, the parcel has not reached its destination. I made inquiries, and my friend in Sirsi has made inquiries too, but God knows where the fruit parcel has disappeared They still say that inquiries are being made. I hope the Railway Board will try to replace that parcel. Then again I had the misfortune to receive a fruit parcel which was opened on the way and the contents were stolen and they were replaced by stones. This is a very good idea on the part of the railway officials concerned, and I am told by another friend of mine here Mr. Nauman, received bricks. Once my firm in Poona imported for the Christmas turkeys and chickens. Of course they were not missing but before the delivery could be taken the station authorities had to be given a couple of turkeys and chickens. I hope the Watch and Ward Department proposed by my Honourable friend will keep an eye on this and see that such things do not happen. They can at least tell the officials that they should not adopt such means. We are prepared to give them Christmas presents but not to forcibly part with turkeys and chickens.

As regards luggage, I differ from my friend Mr Sri Prakasa when he says that luggage left with the guard is always broken into. My experience is different I have never found any luggage broken into or opened I understand that the Railway Board a few months ago passed orders to the railway authorities that the extra luggage should not go by the same train In this connection I would remind the War Transport Member of the correspondence that took place in the *Times of India* of several unfortunate travellers who lost their luggage. The luggage was opened. Many European ladies lost their trunks, specially those who have been travelling long distances from South India to Northern India. I would not agree that heavy luggage should travel by the same compartment with the passengers, because that causes great inconvenience but I suggest that the luggage should be allowed to go by the same train as the passenger is travelling. My experience has been that I have not had the misfortune to lose my luggage but several passengers whose luggage did not travel by the same train lost their luggage. Some of it was broken into or damaged.

Now, I come to the question of settling the claims. I would go a step further than my friend Mr. Stokes and say that this is an organised theft on the part of railway officials. About six months ago I travelled from Bombay to Bagaskot and from Hotgi Junction to Bijapur, I could not get accommodation in the first class, and so I had to travel by second class My claim of refund for the difference is still pending and the last postcard which I received is from the G. I. P. Railway asking me wherefrom I bought the ticket. I gave them

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this information. Then, they sent another postcard and asked me who bought the ticket. I said that I had bought it and I asked them to settle the claim. I made it clear to them that I was not asking for Rs. 10 and I sent to them a declaration that that amount will definitely go to charity, but it will go to charity by my own hands and not by theirs. I am sorry to say, that those Rs. 10 are still not forthcoming.

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Shri Sri Prakasa: They are gone to charity.

Mr. Ahmed E. H. Jaffer: I should like to give charity by my own hands. They say the claims Inspector will come and look into your claims and there the matter ends. When my friend Mr. Stocks, here referred to the question of Insurance Companies, he said they are the most prompt people to settle their claim. It is by settling claims promptly that you earn your reputation. I feel that the railways have made so much money that they do not care to make more money and do not care to earn the same reputation as is earned by the Insurance Companies.

Now, our friend the Railway Member has referred to the question of extra Watch and Ward officials. I would suggest that the first duty of the Watch and Ward officials should be to send bogus customers with marked notes to the booking clerks and those who make reservations and those who allow wagons to be booked, and those who book fruit parcels. It is scandalous that they are making thousands of rupees. We cannot get reservations unless we pay Rs. 10 for I Class Berth. I am told that the public should co-operate but the man who is travelling has not got the time to go to the police. So, it is much better that the Watch and Ward officials should be instructed to send bogus customers from time to time so that such things may not happen again. I can assure you that every day in Bombay and Poona we come across at least 20 such cases. Once they know that the Watch and Ward officials and the Police are after them this robbery will stop forthwith.

Lastly, Sir, there is a great trade of fruit parcels and vegetables, especially the vegetables which are so badly needed. The difficulty is they are not booked promptly and for every such parcel the booking clerk charges 8 annas to one rupee. This should be stopped. I am sure if the Railway Member issues instructions to the Railway Companies, the position will improve and we shall have better times ahead of us.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, the magnitude of the leakage, damage and wastage has not been understood or appreciated by the Assembly. I would like the Honourable Members to note that whereas they earned 114 crores from the carriage of goods in 1945-46 only 1¼ crores were paid as compensation for the loss of goods in transit. So, nearly 1¼ per cent. of the earnings from this source is being wasted. There is no good trying to find the thieves elsewhere than in the Department itself. There are two-legged rats in the Department itself who either commit pilfering or waste articles or take them away. Let us take an ordinary instance The luggage or parcels or goods are sent by trains and the luggage and parcels are carried much earlier than goods. It is easy to locate who was responsible for these. At the booking station the Stationmaster is responsible for it, the Guard is responsible in the running train and at the other station the goods clerk or the Stationmaster is responsible for it. These are the only persons who can be responsible. With respect to goods, longer time is spent in the goods shed before the article is put in the wagon. It is only the railway officials who have got access to these articles or their peons and none others. If there is a theft in the compound of a railway station and if the thieves are brought before the Magistrate, they are punished severely. Therefore, thefts by strangers of articles inside the railway administration have become very few. The persons who commit these thefts are inside the railway administration and they do not take any steps against them.

Details have been given both in the Administration Report and also under Demand 6—Compensation for loss or damage under the various administrations. No statistics have been given of the railway officials who have been punished for pilfering or waste or damage caused in transit. I would ask a categorical statement to be laid on the table of the House by the Honourable Member regarding the manner in which attempts have been made to secure the lost articles or the compensation that has been paid by the Railways. I wanted that information in the Standing Finance Committee for Railways but it has not yet been supplied to me. I expect the Honourable Member will give me that information here. I need not give the details as to where I myself suffered with regard to mangoes, but it is common knowledge that we do suffer that way. We are forced to get into railway trains and we are also forced to send fruits by railway trains. If it were possible to send them otherwise, a man would gladly refrain from sending his articles by trains. At present there is absolutely no chance of any of these articles at the other end.

As to how the railway administration is lax is clear from this. In the case of the G. I. P. Railway the number of cases pending in 1943-44 was 6,819 and the new claims were 41,265. The average duration for settling a claim was only 46 days. In the case of the Bengal Assam Railway 38,000 claims were made during the years 1943-44 and 1944-45 and the average duration was 82 days. The most lax railway was the Bengal Nagpur Railway where for a lesser number of claims the average duration was 182 days with respect to each claim. Now, a man who loses his article and puts in a claim for it must know at the station at which the article is delivered to him whether the article is intact or not. He immediately puts in the claim and the station master is the person who has to justify whether the article is good or not. There is no need to drive him to the court. All the railway administrations have been purchased by the Government and there is no inter-railway administration difficulty now. Therefore, as soon as the claim is made, it must be satisfied. There is absolutely no justification for not satisfying the claim. The claim arises on account of the loss or wastage. I have seen it myself and I am sure the same is the experience of others that these porters who are asked to remove the luggage throw it out mercilessly. No doubt it is chattel, but he does not care to know that it is written on the top, 'remove with care', or 'handle with care' and so on and so forth. Even in the case of these articles there is so much of indifference. What is the fate of articles on which such caution is not written. Even with regard to articles which are handled with care, how are they placed in the wagon or how are they thrown on the platforms? There is so much of wastage going on. This is all due to this system of employing coolies. The contractors are appointed and they engage these coolies. These coolies are not permanently paid men. The contractors bring in all sorts of miscellaneous people as coolies. They are not paid regularly by the contractors, the railway administration has no control over them. The coolies are made to do this work of removing luggage from platforms free. What money they make is all from the passengers. The removal of the luggage etc., for the railway administration is all done as extra work for which the coolies are paid nothing by the railway administration. In return for this free work, the coolies are given licenses. Even if a cooly works for 15 or 20 years at a station, there is no guarantee that he will become a paid porter, if any such vacancy should arise. That is the way in which the railway administration is run. The Railway administration seems to be under the impression, let us pay very little, it does not matter, let the coolies make as much as they can from the travelling public. Let the porters and other officials make as much money as possible but so far as we are concerned, let us pay them only such an amount which is below the normal living wage, say Rs. 15 or Rs. 20 a month. This sort of mentality on the part of the Railway administration leads to corruption and wastage. A graduate once came to me and asked to get him a job. I told him that I was in the Opposition in the Assembly and how could I secure him

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a job. He said, I do not mind working without pay, but please do put me in the Supply Department of the Government of India where I can make some money for my living. Such is the impression created in the public mind about your Government administration. Similarly, a man may be appointed even without salary in the Railway Department, he will get money without any difficulty. It is only exactly with a view to remove this evil that I have joined hands with my friend Mr. Guruswami to get the salaries of low paid officials raised and to secure to them a permanency of tenure. Out of one crore and fifty lakhs paid last year and out of one crore and 16 lakhs budgeted for next year, what portion of these sums really come from railway officials who are responsible for such rough handling of the goods. If my Honourable friend is able to give me the figures immediately, I shall sit down. I am not very particular about the time limit to my speech. I am prepared to forego a portion of the 15 minutes allotted to me. I am not getting any answer. It will be carrying coals to Newcastle if I tell them in what ways the administration is corrupt. Every railway official knows it. Once my Honourable friend Mr. Sri Prakasa sent me some Benares mangoes—two baskets. One basket did not reach my station, Chittoor, in the other basket, there were only three mangoes left. I am really surprised that there should be kinship between one station and another, for in the case of a similar parcel sent by me to Benares, my friend got only three mangoes and all the others disappeared. Possibly those mangoes were in fresh condition, and mine was rotten. They must have tasted them and allowed them. My Honourable friend, the Railway Member, who is constantly travelling on the railways can easily find out these evils. It may be that he is willing to travel in lower class, but one swallow does not make a summer. His subordinates, the Traffic Superintendents and other officials won't travel in anything less than saloons. Possibly, there is a secret understanding between the Honourable the Railway Member and his subordinate officials, possibly he is telling them 'I am travelling in lower class, but don't commit that mistake yourselves, you travel in saloons. The District Traffic Superintendent of Railways comes along, he has to be provided with all sorts of comforts and conveniences in his tour. Sir, I shall refer to an allied department of the Government of India, namely the Postal Department. Do these complaints arise there? The post offices handle large sums of money, very valuable parcels pass through the post offices and whenever any claims for compensation are made against the postal department, they are promptly settled. Even if a single post card misses and if a complaint is made to the higher authorities, the Postal Inspector comes and stands at the door of the complainant the next to enquire into the complaint, to seek information and he settles it immediately. Why not the railways take a leaf from the postal department? My Honourable friend the Railway Member will only threaten us with one remedy, and that is raising rates and fares and he will say, by all means let pilfering go on. If that is your attitude, then not a single man will get into your tram. Is that the way in which the railway administration should be conducted? The only remedy that I can think of is to appoint local *ad hoc* tribunals who will settle the claims without any difficulty. For the purpose of settling claims, you may recover the loss from the parties concerned, namely the station master and luggage clerk at the despatching station, and also the station master and the luggage clerk at the destination station. In this way the loss to the railways shall be apportioned. Enforce this rule for some time, and you will see whether any pilfering occurs at all. In conclusion I should like to submit that greater attention should be bestowed on the subject. I fear that though one crore and 16 lakhs have been budgeted for next year by way of compensation, yet in practice the major portion will be swallowed by the railway officials and a paltry sum of no more than 16 lakhs would be paid to the aggrieved parties by way of compensation.

Dr. Sir Ziauddin Ahmad (United Provinces: Southern Divisions: Muhammadan Rural): Sir, I did not want to intervene in this debate, but for a few

remarks made by my Honourable friend Mr. Ayyangar. He suggested a solution, but did not draw the conclusion himself that the postal officials and the railway officials should be interchanged. That is his practical suggestion, because once the railway administration takes its lessons form the postal department, then everything will be all right. I think my Honourable friend is not very far from truth. His suggestions really deserve consideration.

Sir M. Ananthasayanam Ayyangar: I accept the Honourable Member's amendment.

Dr. Sir Ziauddin Ahmad: You place the facts, I draw the conclusion. My friend also referred to cooly contractors and that is the only point on which I should like to speak. This is a novel system which has been introduced in this country and it is quite different from the systems prevailing in other parts of the world. My Honourable friend the Railway Member has got experience of porters in Europe and America. It is on account of the wrong system of employing porters in this country that all evils we are complaining against are rampant. The railway administration entrusts this task to one contractor who is given this patronage As was said several times on the floor of this House, the cooly contractor in Lahore station earns as much as Rs. 3,000 a day, and this is greater than the income of any official of the Government of India. Yet, it is true. He earns this money in all sorts of ways. He first charges every cooly a fixed sum of Rs. 2 a day. He also charges something else for giving the porter the clothing and the belt etc The Government also pays these contractors money for handling the luggage and goods. The contractors in their turn pocket all the money they get from the railway administration, and extract work from the coolies free. Nothing is paid to the coolies for handling the goods. The entire money which is contributed by the Railway administration for handling the goods is swallowed by the contractors This further increases the earnings of the contractors. Whenever we raise this question of appointment of contractors, the railway administration never cares for our complaints but go on appointing the same person for obvious reasons Sometimes, the railway administration appoints ex-railway servants as contractors to give them patronage. In the case of E I. Railway, they have given the contract to one Sahig Ram, although he is dead and gone long ago, yet his children and grand children go on paying visible and invisible licence fees and secure the contract without any break. This system of appointing contractors and asking them to employ porters is thoroughly bad. My Honourable friend the Railway Member who has widely travelled on the Continent of Europe and America must know that this system does not exist anywhere in the world Where does all this money for the contractors come from? It all comes from the travelling public. Whenever we prepare our budget for travelling we have to provide not only for the cost of railway tickets but we have to budget for several other items. We have to set apart some money to pay the booking clerk for purchase of the ticket A large number of third class passengers has got to give this tip, otherwise, they cannot easily get the ticket. Sometimes the poor third class passenger has to pay several times more than the scheduled price of a ticket The next item is the cooly hire. The cooly is not satisfied with his scheduled rate. He always says, 'well, Sir, whatever you give me goes to the contractor, nothing is left for me'. In this way, we have to put down a large additional amount for incidental expenses, like tips, cooly hire, etc., before we begin to travel on the railway. Another item of expenditure for a traveller is the high cost and low quality of the refreshment The price of refreshment is so high and the articles supplied are so bad that it really costs much inconvenience to the travelling public. I submit that all these things require looking into. The all add to the discomforts of the traveller It does not go to the budget of the railway administration, but it adds to the budget of the travelling public I am sure this is considered a great nuisance. All these also require careful consideration. I really thank my

[Dr. Sir Zia Uddin Ahmad]

Honourable friend Mr. Stokes for drawing attention of the Assembly to these difficulties which must be remedied by the railway administration.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I should like to draw the attention of the Honourable the Railway Member to some of the difficulties that people experience. Pilferage and delay in the settlement of claims have been dealt with by some of my Honourable friends and I need not devote any time to those points.

Mr. President: Order, order. That is the only scope of the motion.

Pandit Govind Malaviya: The motion also relates to unsatisfactory conditions of travel.

Mr. President: The Honourable Member unfortunately was not present in the House when the motion was put to the House. The only part put was about 'pilferage and delay in settlement of claims'. The other part which the Honourable Member wants to discuss has already been discussed on other cut motions.

Pandit Govind Malaviya: Then, Sir, I shall not take any time of the House.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, I will give three illustrations from my own experience with regard to this subject. Last year a parcel of mangoes was sent to me at Simla and while taking delivery I found only a basket but no mangoes. Again, only about four or five days ago a parcel of guavas was sent to me from my garden and it was sent from Etah district, and when my servant went to the station to take delivery he found that instead of 20 seers there were only about ten guavas. He refused to take delivery and also to hand over the railway receipt. The third case is this. A friend of mine had lost some clothes in transit and put in a claim of something like Rs 100. After two years he was asked by the East Indian Railway to send them the original tailor's bills so that the administration might assess the amount to be paid. He replied that the clothes had been made about ten years back and he had no idea that they would be lost in transit, otherwise he would have kept those bills in order to prove his case. You can see what kind of administration this is when no action was taken in the course of two years. When I came to know of this case I raised it in the Advisory Committee of the railway and after six months the poor fellow got his money. These are the things that happen. My guavas were perhaps stolen at Delhi junction, and what kind of thieves does the railway employ? I am writing to the Divisional Superintendent about this; but this is not the first time that the attention of the railway administration has been drawn to these thefts. Probably there is some one responsible who allows these thefts to be committed. In any case, I wanted to bring to the Honourable Member's notice these cases which are within my personal knowledge.

The Honourable Sir Edward Benthall: Sir, I very much welcome the fact that this debate should have taken place because it is a subject which needs ventilating. I fully appreciate the inconvenience and exasperation which the public have suffered, particularly during the course of the war. And if I can parody my Honourable friends opposite, I am amazed at the moderation not of those who usually leave three mangoes but the moderation of the speakers today, because, I do appreciate how very exasperating it is to every individual who suffers from loss of luggage or of goods or from delays in getting claims settled; and I have full sympathy there. The other day I came across a case of one Government official who was so exasperated at losing his trunk and getting no compensation for it, about 25 years ago, that he would not give us any assistance in the road-rail co-operation scheme. That shows the depths to which it bites into people.

At the same time while welcoming this debate I must take exception to the accusation that it is only the railwaymen who are guilty. My Honourable friends opposite take the line that whatever goes wrong it is the railwaymen and not the public who are at fault. That is why when I stand up here I

find myself in a position of defending the railwaymen against accusations that are unjust. That does not mean that we do not take action against delinquent railwaymen, and I can assure my Honourable friends that we are being most stringent in this matter. In the case of the Teliapara incident that my Honourable friend mentioned the railway servant was convicted and got 18 months' rigorous imprisonment.

Shri Sri Prakasa: Is not the railway servant responsible for my goods when he has taken charge of it even if some thief from outside should come and steal them from him?

The Honourable Sir Edward Benthall: Yes, I will deal with that in a minute. But as regards the procedure against railway servants, one of our difficulties is the extremely elaborate procedure which my Honourable friend Mr. Anthony is always bringing to the notice of the House, and if my Honourable friend Mr. Ayyangar and his friends would not insist on such an elaborate procedure in these cases it would be more easy to deal with disciplinary cases of this sort. Sir, it is not always the railwaymen; very frequently it is, as the Honourable Mover said, organised banditry. The two-legged rats to which my Honourable friend referred are not only railway rats, but there are rats among the public as well. We had a case not long ago of organised coal thefts in the Calcutta area. The open coal wagons making their way down to the docks were systematically pilfered, in the way of organised banditry, by certain coal merchants who, when the trams had to slow up at certain crossings, used to have a gang of men throwing off all they could and had carts ready to remove it This of course was done in the night When we discovered it we took proper steps; but that is a very good example of a case where the public was concerned in organised banditry and it is not a case where railwaymen were concerned

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan) May I know if there is any responsibility on railwaymen to find out the culprits?

The Honourable Sir Edward Benthall: Yes, but when you have organised thefts of that nature in the middle of the night it is not necessarily found out immediately. The delinquents were caught and of course the thefts were stopped But I was explaining how these things are sometimes organised I will mention another case, a case with which one must have great sympathy. In the times of famine in Bengal there was organised theft of grain wagons, and special instruments were made and sold in the bazar to enable people to probe into the wagons and slit the sacks so that all the grain trickled out. One can sympathise with people who actually steal grain for food; but there again there was organised banditry because the iron merchants in the bazar were making instruments for this purpose. Then I will give another case, which is rather an interesting one I was talking to an officer about this question and he said that not so many years ago he was standing at some station (say Jullundur) in the middle of summer when one of the station officials came to him and said, "Sir, there is a *bhut* in a box." He said, "dont be silly." 'But there is' was the reply. He went along to the box and, sure enough, there was a knocking in the box He opened it and found inside a man in the last stages of exhaustion, and extracted the facts from him. The facts were that every day or every other day this man used to be inserted by a gang of thieves at, say, Ambala into this box. It was put in the van, in the course of the journey, the sliding door was removed, the gentlemen inside got out, pilfered all the most valuable things, got inside again and was unloaded regularly at Ludhiana where his friends would come with a bullock cart and the loot was disposed of Unfortunately on this occasion he was not put out at Ludhiana but went through to Jullundur and the scheme was disclosed. That was an organized banditry.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Did you send him to jail?

The Honourable Sir Edward Benthall: I cannot tell you what happened.

Sri M. Ananthasayanam Ayyangar: These are all exceptional cases!

The Honourable Sir Edward Benthall: I have mentioned the sort of thing which does happen. It is sometimes also the passenger's fault. I should say that the customer can do no wrong, but occasionally they do. I do not know whether many Honourable Members went to the railway exhibition last year. If they did, they must have seen a very interesting stall in the south-west corner illustrating how passengers should do up and label their luggage. Very often packages are insufficiently labelled, the label is stuck on rather loosely, the gum comes off, there is no label left on the package and it is extremely difficult in those circumstances to trace the package and return it to the owner.

One Honourable Member mentioned the case of railway cushions being stolen. That was a very frequent occurrence particularly in East Bengal and Assam in the course of the war. The troops found railway cushions more comfortable to sleep on than the hard ground and we had frequent occasions to apply to camps round about railway stations to return the cushions which they had stolen. We got very little out of it, but on one occasion we did get a reply. There were two railway cushions 14 miles from the railway station and if we could send for them we could have them back, but generally speaking we got very little response.

It will interest my Honourable friend the mover who referred to section 77 of the Railway Act to know that the provisions of this Act have not escaped our attention and that we do think that there may possibly be a case for amending them in the present circumstances. Section 73 of the Act, for instance, lays down a maximum valuation for certain goods: In the case of elephants or horses Rs. 500, in the case of donkeys, sheep, goats and so on Rs. 10 per head, which is the maximum compensation payable In section 75 it lays down that value is not to be paid in excess of Rs. 100 on any package unless that value is declared. It is recognized now that in view of the rise in prices there may be a case for revising those limits, but, I think, generally speaking, the railway Administrations, in view of the heavy losses which have occurred, have interpreted these rules rather less stringently, recognizing the difficulties of the passengers.

My Honourable friend, the mover, dwelt particularly on the difficulties on the B. A. Railway. I think he must recognize that the B. A. Railway has had particular difficulties as a result of war pressure, first of all in the extremely heavy increase in the traffic over that railway and, secondly, from the fact that it has had of course the largest number of new, temporary and inexperienced staff. I am not saying that as an excuse for—yes, I am saying it as an excuse for the B. A. Railway, but I dont necessarily accept that it was necessary to the degree in which pilferage has taken place there. I can certainly assure him that throughout the Railways, as my Honourable friend the Director of Establishments has said, the Railway Board are giving their personal attention in every way to seeing what can be done to improve both the reduction of pilferage and the expeditious dealing with claims.

Mr. Muhammad Nauman: They are doing that for the last 25 years, but there is no improvement whatsoever.

The Honourable Sir Edward Benthall: Sir, it got worse during the war. I dont think that my Honourable friend Mr. Sri Prakasa's suggestion of having more claims offices round the country is really going to help. In the case of the Benares office of the E. I Rs many of the files have to be sent up from the Central Office in Calcutta and they are returned again to Calcutta so that in many cases it is the most inefficient way of dealing with claims. It certainly would lead to greater efficiency if the whole of the office of the railway could be centralized.

My Honourable friend, the Director of Establishments, pointed out that claims are now dealt with more expeditiously; the time required for dealing

with it has been speeded up considerably and, I believe, the railways have been taking a more liberal view, but I maintain that the proper way to resolve the problem is to try to stop the pilferage. My Honourable friend, the Director of Establishments, has mentioned the different steps that have been taken to try to decrease the pilferage, but I think, Sir, both this war and the last have shown that during the war time there is a general decline of morality in these matters among all classes and I don't say in any way that railwaymen are exempt. It is not confined to this country. Some Honourable Member opposite mentioned that in the United Kingdom you could send your package without taking a receipt for it. That is so. But I was reading the report of the Parliamentary Economy Committee not long ago. The Parliamentary Committee, sitting on railway economies, drew particular attention to the extent of pilferage which had, during war time enormously increased, for the reasons which my friend the Director of Establishments mentioned. So this country is not the only one suffering from these difficulties. At the same time I can assure the House that this will have the continued attention of the Railway Board. I must confess that when I came to study the figures in the papers circulated to the House it came to me rather as a shock to see the extent of the increase of claims. It was not a shock to the Board because they had already taken action but this was the first time that it was very visibly brought to my notice and I am exceedingly glad this debate has taken place. I can assure the House that the result will be that the Board and I and the Railway Administrations will do all we can to tighten up on this and give better service to the public. I hope in view of the assurance my Honourable friend will withdraw his cut motion.

Mr. Muhammad Nauman: You do not at all say whether you had ever prosecuted employees for such pilferages. Nor do you say anything about the handling of the damages to stock due on account of your contract system of coolies.

The Honourable Sir Edward Benthall: As regards the contract system of coolies, I mentioned in the House as a result of a question that I was looking into it very thoroughly. The investigation has started. As regards prosecution of staff, that does take place, and as the Honourable the mover pointed out one railway man did get 18 months.

Mr. Muhammad Nauman: Do you trace complaints from booking office to destination?

The Honourable Sir Edward Benthall: It is extraordinarily difficult. As the Honourable Member knows when there is extremely heavy traffic, the stations are very often blocked with parcels and it is extremely difficult to trace who is the author of the theft. It is probably done at night, it may be an outside cooly who has had access to the station or it may be a railway cooly. It is extremely difficult to run people to earth.

Shri Sri Prakasa: Does not the Benares office itself settle claims?

(Interruptions)

Mr. President: Order, order. Mr. Ghulam Bhik Nairang wished to put a question.

Syed Ghulam Bhik Nairang (East Punjab. Muhammadan): What does the Honourable Member propose to do with regard to fruit parcels which are subject to pilferage most extensively?

The Honourable Sir Edward Benthall: What I said applies to everything, not only to fruit parcels, though fruit parcels are particualrly attractive to thieves. That is recognised. But I do not see that you can concentrate on that.

Sri M. Ananthasayanam Ayyangar: Of the one and a half crores paid by way of compensation during last year for loss and damages, was a rupee collected or obtained from the railway staff?

The Honourable Sir Edward Benthall: I am afraid I should have to get notice of that.

Sri M. Ananthasayanam Ayyangar: Can you say approximately?

The Honourable Sir Edward Benthall: No. I have not gone into that.

Shri Sri Prakasa: Does not the Benares office settle claims directly?

The Honourable Sir Edward Benthall: But very frequently cases have to be referred to Calcutta to the Commercial Manager.

Mr. R. C. Morris (Madras: European): Are not the railways responsible for the bad opening and closing of certain consignments in transit by excise officials between Madras and Mysore—so inviting pilferage by railway employees?

The Honourable Sir Edward Benthall: I should require notice of that. They are opened by the Mysore Government officials.

Mr. President: The only question that remains is whether the Honourable Member wishes to withdraw his motion.

The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100"

The motion was adopted.

Ways and Means for Meeting the increased operating costs

Mr. M. A. F. Hirtzel (Bengal: European): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

My purpose in moving this motion is to concentrate on the latter portion of it

Mr. President: Order, order Would the Honourable Member mind coming a little further up?

Mr. M. A. F. Hirtzel: In previous debates we have concentrated rather on the capital position of the railways and I do not propose to discuss that further to-day except to say that we certainly share the anxieties which have been expressed in some quarters of the House on the subject and we feel that the whole question of the railways' operating position cannot be fully covered until the questions of the Depreciation Fund, the Betterment Fund, the General Reserve and also the question of amortisation of capital have been fully investigated and dealt with. That, we feel, should be taken up at once and certainly could not be taken up by a committee of the type which the Honourable Member was disposed to accept in principle on Mr. Neogy's cut motion. The whole question of the capital side of the railways is, as I have said, an essential preliminary to dealing with their profit and loss position. They must first be put on a sound capital basis. But, Sir, as I have said, that is not my purpose today. I want to deal with the day to day position, or the year to year position, of the Railways about which we are feeling great anxiety in the light of the budget for the coming year. The railways, as the House is aware, or for that matter any transport concern, are a very accurate barometer of the state of trade in the country They are also a very sensitive barometer. As economic conditions slacken traffic falls and falls much before the cost of transportation falls. Similarly as the economic pulse quickens, earnings rise more rapidly than cost of transportation rises. As the House knows the most accurate way of measuring the efficiency of transportation is by the operating ratio, that is to say, the ratio of working expenses to gross traffic receipts. Now, if we take the history of the railways from the period when railway revenues were separated from General Revenues, we shall see much more accurately what the position is.

From the year 1924-25 to 1929-30 the Railways enjoyed six years of prosperity. During those years they made an average annual profit of 8¾ crores. The operating ratio on the annual basis ranged between a maximum of 54·1 per cent. and a minimum of 51·3 per cent. I am quoting these figures from the Wedgwood Committee Report. In the succeeding years of depression,

1931—36, the railways made an average annual loss of practically 7 crores. The exact figure is 6·94 crores. During that period the operating ratio showed a very considerable rise ranging between 54·7 per cent. and 57·2 per cent. in 1930-31, the first year of depression. During 1936-37 to 1939-40, the four post-depression years the railways made an average annual profit of 2·42 crores and during that period the operating ratio again fell from 54·2 52·3 per cent. The point I am seeking to make is that in the years before the war the operating ratio showed a maximum range of only 5·9 per cent. In the period 1930-31 to 1945-46 (the current year) there is an increase in the operating ratio of 9·4 per cent. On the other hand comparing the years 1927-28 and 1945-46 the lowest was 51·3 per cent. and the highest 66·6 per cent. in the current year. There is thus an increase in the operating ratio in the current year of 15·3 per cent. I am sorry that these figures are rather intricate The point I would emphasise is that in the prewar years the maximum increase was 5·9 per cent. and in the period of the war the increase in the operating ratio has been 15·3 per cent.

The Honourable Sir Edward Benthall: May I ask the Honourable Member whether he has adjusted in his figures the special charges for writing down the rolling stock?

Mr. M. A. F. Hirtzel: No, Sir I would rely on the Honourable Member to make the adjustments in his own defence But in any case the point will be established that there has been a very serious and very substantial increase in the operating ratio which represents a position which is certainly a very grave warning

Now, Sir, the position is that we are faced with this very grave increase in operating costs and the question is how are you going to meet it The Wedgwood Committee went into the question whether the Railways should make a contribution to general revenues and they sought to assess traffic prospects in the years immediately following the year 1937 It is interesting to study in their report the conclusions they came to and the reasons why they felt that the Railways were not on a sufficiently economic basis to justify a contribution to general revenues Honourable Members will find the reasons on page 128 of the Report and they are set out as follows

"(a) Whilst the next few years are likely to show improving trade, this is due to conditions which are partly artificial and to that extent precarious in character"

I suggest that today the position is just as uncertain.

"(b) Some of the burdens which were assumed by the railways during the period of prosperity will remain a permanent additional charge on the future Rates of wages were liberally increased and it has proved impossible to reduce them substantially during the times of depression Capital expenditure was freely undertaken, much of which has not yet fructified and some of which owing to motor competition is never likely to fructify."

That, Sir, I suggest substantially applies also today.

Item (c) refers to road competition. It is rather a lengthy one and I will not read it out. But, having regard to the circumstances of yesterday, I submit that that also applies

"(d) On the other side of the account comes the question of economies We are unable to point to any economies of first class magnitude at present realisable. . . " and so on.

That, Sir, is the question before us now and is the purpose of my cut motion.

Item (e) refers to recommendations of the report bearing upon possibility of increasing revenue. I suggest that the position today is substantially the same as it was in 1937. We are facing a period of economic uncertainty and I think that the Wedgwood Committee's comments are a guide to us today.

We come then to the question of how this position is to be met. First of all there is the question of a contribution from the Railways to general revenues. If no contributions are made to general revenues, then I would point out that that in fact means that the railways should be run on a strictly commercial basis. That is to say, if the railways do not make profit for *general distribution*, so to speak, then the profits go back into the business in some form or other either in amenities fo rthe public or

[Mr. M. A. F. Hirtzel.]

improved service and so on. On the other hand, if the Railways make a contribution to general revenues, then they are in a position in times of stress to rely on the general revenues to assist them. This is a matter which is open for enquiry and we certainly do not propose to commit ourselves to a final view on the subject but we are inclined to the view that the direct distribution of costs to the users, that is to say that the railways should not be burdened with a heavy fixed contribution to the general revenues, is preferable. But in that case the users would naturally claim a much higher standard of service than they yet receive. It is quite clear, particularly from what has just passed under the previous cut motion, that a much higher standard of service is required. We have just discussed the question of claims. Then there was the serious question of demurrage charges which were remitted in an unjustifiable manner during the war Then the question of ticketless travel. All these indicate a standard of administration which doubtless for unavoidable reasons during the war, is yet not satisfactory.

Then there are longer range subjects on the scientific side, for example fuel research, electrification and no one in these debates has yet mentioned atomic power which may have a very vital effect in the years to come in Railway operation.

But when all is said and done, I think we must come to the conclusion that retrenchment is essential and must play a part. The grand total of working expenses in the coming budget is 169 crores against only 100 crores in 1939-40. That represents an over-all increase of 69 crores; and we were told the other day that current labour demands would mean another 75 crores of rupees. The question, therefore, we ask is that if all those demands are to be met, where is that 144 crores or 150 crores going to come from? As against that gap, traffic rates and fares have only been increased by 8 per cent. over-all, during the war. The results of 1946-47 may justify the budget which has been placed before us, but the results for 1947-48 are certainly likely to be much more discouraging We shall then be in a full deflationary period, a period when to increase rates may have a very serious and depressing effect on an already slackening economy.

1 P.M.

In the light of all these considerations, we feel that measures are necessary in *every* direction both to clear the position on the capital side and to devise all possible means of improving revenue Sir, I move.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100"

Sri M. Ananthasayanam Ayyangar: Sir, when I come to this cut motion I am doubtful as to how the railways may be able to pull through in the years to come. War earnings ought not to be taken as the criterion for the earnings for future years. War is no doubt a boom—it has exhausted our resources and has also got us a lot of money, and the assets have been over-worked. Therefore the earnings in the pre-war year 1938-39 and the expenditure ratio then will give us an idea as to how we should cut our coat during the coming years.

In the year 1938-39 the total earnings were to the tune of 107 crores; the total working expenses were 71 crores—the operating ratio being 66·4 From the earnings, first of all the operating expenses have to be met, which includes depreciation also. Then there are certain unavoidable expenses by way of interest charges which come to 27 crores and in addition if some contribution has to be made to the general revenues it comes to nearly 7 or 8 crores: altogether about 34 crores. The balance after deducting depreciation of about 12 crores comes to about 61 crores and that is just the sum that was found necessary for the working expenses during the year 1938-39. Now, the income hereafter may go down, but the operating expenses may not go down at the same rate as the income goes down. During the war the income from the goods traffic did not appreciate very much, not in the same proportion as the passenger traffic income. Though the number of trains that were run was smaller, a larger amount was earned from the passenger traffic because of over-

crowding. The increase was due not to the growth of industries in this country, but to inflation that went on during the war period: from nearly 200 crores before the war, the currency notes have gone up to nearly 1,300 crores. Everybody got into the 1st and 2nd class because there was no accommodation in the third class and that way reduced the overcrowding in the third class—in fact the third class booking was closed in various stations. Now it cannot be expected hereafter, now that the war is over, that there will be such circulation of money; there may not also be further flow of money into this country, and there is no prospect of their being increased or augmented. All that is referred to in the administration report of the railways. Therefore, having regard to this appalling state of affairs in the coming years one has to be careful. I do not know what to suggest because though three or four days have been spent over this railway budget, up to this date the Honourable Member has not come out with any particular methods by which he can curtail the expenditure and adjust the operating ratio to the income that may fall below normal in the coming years. However, it is my duty to suggest to him how this can be done and how he has not been able to do it till now or undertaken any measures.

First of all, now that most of the important railways have come under Government administration, the railways may be regarded as one for administrative purposes: a number of head offices and some workshops also may be fused together and I expect some saving under that head. It is true that I may not be able to point my finger to any one particular item which alone will make up all the deficit in the years to come. The axe can and has to be applied in almost every detail; and even if a rupee can be saved in a particular department it is worth while saving. It will not be open to my Honourable friend to rise up and say that any one of these savings is so small that none of them can be undertaken in the years to come.

Next as regards retrenchment, I would suggest that besides amalgamation, which would reduce expenditure to some extent, there should be retrenchment of offices and officers and reduction of salaries and abolition of allowances. First of all, about offices I will give only one or two instances. There is the Railway Clearing Accounts Office. That has been in existence for a long time. It has got a lot of establishment. When the railway administrations were in the hands of various companies, it was necessary to adjust every item and apportion the money from time to time and to have a central office for that purpose. Now it does not matter so much. If a man starts in the M. & S. M Railway and passes through the Nizam's State Railway and into the G. I. P. Railway, the only break is the Nizam's State Railway: the two other railways can always adjust their share in a certain ratio that may be adopted. Formerly it was not so. The M. & S. M. and the G. I. P were out to get their last pie and they had to keep such accounts. Therefore, I suggest that the Railway Clearing Accounts Office may be abolished, and decentralised so far as small adjustments are concerned. Similarly a number of other offices can also be abolished with advantage.

As regards officers, I have found a tendency to exhaust all words in the dictionary in finding out denominations for officers. For instance, there is the chief manager, the deputy chief manager, deputy manager, assistant deputy manager, sub-deputy manager, assistant sub deputy manager, and I do not know how many more will be coined . . . .

Dr. Sir Zia Uddin Ahmad: Sub-assistant manager!

Sri M. Ananthasayanam Ayyangar: My Honourable friend is a Vice-Chancellor and well in touch with all the words in the vocabulary. The House must note one or two circumstances which have happened. The Oudh and Tirhut Railway was taken over very recently from the company. The company was managing it for nearly 50 years. Since the management was handed over there was a suggestion by the Railway Board that for every chief there must be a deputy. They wanted five deputies. They wanted once, twice and thrice and our patience was exhausted and we had to yield with great regret. We hope that what we did will be corrected by this House. We were obliged

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to yield because they wanted to bring the O. & T. Railway into line with the other Railway Administrations. What is the need of this, when the company was carried on for fifty years without deputies. Their salary was Rs. 1,500 each with corresponding establishment etc. Immediately this company was handed over to my Honourable friend, he wanted to appoint deputies, because there were deputies in the M. & S. M. and other railways. Is that the way to do it. Instead of applying the axe, you want to go on multiplying offices.

As regards salaries my own feeling is that salaries in the lower classes must be raised the salaries of the higher posts should be reduced. It should not be a question of purchasing honesty by paying more. Even if you pay Rs. 220 crores a month or a year, still if a person is dishonest, he can make money by black market methods. Of course a man ought to have his essential needs. He ought not to be deprived of the necessaries of life. 1,500 should be the maximum for any man. I belong to a school which is bent on reducing the salaries of high officials. I am not jealous of persons drawing Rs. 4,000 and Rs 5,000 in this country but we feel that for any individual however highly placed Rs. 1,500 is more than enough. The other day an Indian Sub-Collector also travelled with me. He thought that Rs. 1,500 was too low, because he had insured for Rs 50,000. He had only one child whom he wanted to send to England and America for studies. That is the way in which the minds of these people are working in a poor country like India. So far as lower salaries are concerned, Rs. 12 is the starting salary of a menial gangman. I think that for a man who is working on the line with shovel and spade Rs 12 is enough This was fixed in 1931 because of the then current index prices Prices went down Speaking subject to correction, ever since then it has not been increased Rs. 18 is the maximum a man gets in the 25th year. Many people die before reaching that limit I do want that the lowest menial, the gangman, to be started on not less than Rs. 25. My friend will give figures and say that it will work out to astronomical figures but I will give an answer.

The Honourable Sir Edward Benthall: The man who is normally drawing Rs 12 today would be drawing an additional Rs. 13 in grain allowance and also a minimum of Rs 12 or Rs 14 in dearness allowance which bring the total emoluments to Rs 36 Your proposal will reduce it to Rs. 25

Mr. President: This is a convenient point to stop I have an announcement to make

ELECTION OF ADDITIONAL MEMBERS TO THE DEFENCE CONSULTATIVE COMMITTEE.

Mr. President: I have to inform the Assembly that upto 1 p.m. to-day, the time fixed for receiving nominations for the election of two additional members to the Defence Consultative Committee, two nominations were received As the number of the candidates is equal to the number of vacancies, I declare the following members to be duly elected to the Committee for the unexpired portion of the financial year 1945-46 and for the financial year 1946-47; (1) Mr C P. Lawson, and (2) Squadron Leader Sardar Surjit Singh Majithia.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr President (The Honourable Mr. G. V. Mavalankar) in the Chair.

RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

DEMAND No. 1—RAILWAY BOARD—*contd.*

Ways and Means for Meeting the increased operating costs—con'd.

Sri M. Ananthasayanam Ayyangar: Sir, I do not find the Honourable Member in his seat nor anybody else on his behalf. Whom am I to address?

Mr. President: Mr. Khan is coming.

Sri M. Ananthasayanam Ayyangar: I see Mr. Turner is also coming.

I was on the question of raising the salary when the Honourable Member said that they are already paying them more than Rs. 25 inclusive of dearness allowance and, stores concessions. I was referring to Rs 25 as the basic salary inclusive of all allowances. The war is now over and if prices come to normal, the allowances might be withdrawn. Even then I want that the basic salary for a gangman or any of these subordinates must be Rs. 25. The salary of the clerical staff should be Rs. 50 going up to Rs. 100 within a period of ten years and the highest maximum must not be more than Rs. 1,500. That is my point.

I would also like to say in this connection one word to the services and the staff. We hear of strikes which they are going to have for the purpose of raising their salaries and allowances. The proper working of the railway administration depends to a very large degree upon the staff. Therefore, they must be well-contented and they must be paid properly. The pilfering and other things that have gone on are mostly due to them. So far as the amenities are concerned, whatever inconveniences there may be for want of sufficient number of coaches, they may show a good face to the passengers. It is in their hands to give the tickets in time, to give the change and to allow the trains to stay sufficiently at the platform so that people may get in. The acquisition of the earnings by the Railway Department is largely due not to the men at the top but to the people who are running the administration day in, day out. They must feel an equal responsibility in the proper administration of the railways. They ought not to feel that they are mere mercenaries and to avoid this feeling you must make it worth their while to live decently. Therefore, a start of Rs. 25 must be made for the lowest man and the minimum for the clerical staff should be Rs. 50. That is with respect to the staff. I wish at a very early date a non-official Committee consisting of Members of this House might be appointed to suggest the ways and means of retrenching or of amalgamating the various railways. The retrenchment should take place in the manner I have suggested. A similar thing was done in 1932.

Then, I come to the operating charges. I would suggest that wherever hydro-electric power is available, trains should be run with the aid of electricity. This is being done on the M. & S. M. Railway and some other railways. The reason why I am suggesting this is that we find that coal during the war and even hereafter has become a greater and greater problem. We are not having sufficient coal and it is not a productive concern. We are not having coal at remunerative prices. As regards the way in which coal collieries have been worked, I have to make three observations which have come to my notice. I would request the Honourable Member to take note of them.

I am told that during the war the coal collieries belonging to the railwaymen were handed over to the Supply Department. Three or four machines were brought in for operations in the coal-fields at a cost of 3 to 4 crores. Within less than a month half the machines became rotten and the others are not working properly. It is worthwhile making an investigation into this matter. If I am wrong, I shall be glad to know it. I have also found one thing. The Honourable Member himself also seems to be interested in this affair. I find from the pink book that was circulated to us that even the State-owned collieries are being given over to the contractors. That may be done departmentally. The contractors are bringing a number of labourers and the dearness allowance is paid into their hands. What is the guarantee that this dearness allowance is paid to the workmen? You are not seeing to it that these people are paid. There is another thing also which I would like to mention. A number of contractors give an undertaking to supply coal at a particular price. They tender. I find with respect to coal some 8 annas odd. In the previous year that was the amount that was paid. Somebody tendered for As. 3-10 per unit. Later on with this As. 3-10 he could not satisfy. What the tenderers generally do is this. If I want the ultimate tender, I ask my son-in-law to tender for 3 annas, so that he may be the least tenderer. I deposit Rs. 100 to have the last tender declared and thus I drive the other people out because it is impossible for me to supply at 3 annas. I forego it

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and the amount of deposit that my son-in-law has paid is not forfeited at all. I allow him to go scot free. That is what I find in the pink book. I have found 3 annas as the original tender and subsequently 8 annas has been paid. Whenever there is a dishonest man at the top, he makes it easy to make money for himself.

Shri Sri Prakasa: All sons-in-law are dishonest!

Sri M. Ananthasayanam Ayyangar: Thirdly, the Railway-owned collieries are to pay to persons who have collieries themselves. In that case the colliery owner can take away 30,000 tons from the railway colliery if he has got to supply 50,000 tons. All these things have come to my notice. I am getting letters about this matter and I have tabled interpellations. I am glad to know that a Committee has been appointed and one of our Members, Mr. Neogy, is one of the Members of the Committee. This Committee has to investigate into the possibility of some more coal being produced at economic prices. But I have heard from Mr. Neogy that the terms of reference are so rigid and so inelastic that they won't admit of a report regarding the present working of these collieries I would request the Government to enlarge the scope of this inquiry with a view to give a fuller and proper report to the House as to how the railways may be made self-sufficient in the matter of coal because it is a big item on which the running of the railways depend.

So far as the stores are concerned only 20 lakhs of rupees worth of stores are there. They have been there for a long time. Some measures might be adopted to see that large quantities of stores are not kept and a sufficient percentage of them may be reduced.

As regards interest my submission is that 3·8 per cent. is the rate of interest that is being paid on the capital at charge. Debentures might be floated particularly for the railways and we could get cheap money now at 3 per cent. or even less. There can be economy in that direction also.

Then as regards the classes, the first and second classes should be abolished and the third and intermediate classes only might be there The first class passengers give only 4 crores and the second class passengers give 7 crores, whereas the third class passengers give 56 crores a year and the intermediate class passengers give about 7 or 8 crores. Therefore there should be only two classes, by whatever name you may call them. From one class you will get 10 or 11 crores. The present first and second class coaches will be made available for third class passengers. They are not very meticulous as to the number that get in and they pay four or five times or many times more than the first class passengers pay. In many mail trains you find that if there are ten carriages, eight of them are perhaps first and second class carriages and there are probably only two third class carriages in which numbers of people are huddled together. And you will find that the people who got into these two third class carriages perhaps pay as much as, if not more than, what the people in the eight upper class carriages pay. Therefore this is a waste.

Then I come to refreshment rooms. Formerly when the gentlemen in the railways were of the class of our rulers these refreshment rooms were big banqueting halls, but now why do you not give them to third class passengers? Instead of continuing them as European refreshment rooms they should be converted into Hindu tiffin rooms where Indian passengers can go and take their food.

As regards buildings I find that they want to establish the Moghul rule again. Why did they spend 20 lakhs on the huge buildings for Lucknow station? That building really is too big and is not necessary. We have got these gubernatorial palaces but do not waste money on these palatial station buildings hereafter if you want really to make it an economic concern.

Lastly I come to rates and fares. I should like the rates and fares to be so adjusted as to increase the industry in this country. Let there be flat rates,

et there be zonal rates, let there be telescopic rates, now that a number of administrations has come under our charge. When I come from Madras to Delhi, which is a distance of 1,300 miles, I do not get any benefit. The M. & S. M. runs only 250 miles for which there is one rate; then there is the Nizam's State Railway on which there is another rate; then there is the G.I.P. which has its own rate. If there are telescopic rates you will induce a larger number of people to come in. Also if you adjust your train services and other facilities in order to induce a larger portion of trade, even if your rates and fares are not increased you will get the same amount of money if not more.

I have suggested a number of methods by which we can augment the resources of the railways and in each of them we will get sufficient money to make up the deficit that is sure to arise now that the war is over.

The Honourable Sir Edward Benthall: Sir, I think I had better deal first with a few of my Honourable friend Mr. Ayyangar's points. He said at the beginning that as a measure of retrenchment he would suggest regrouping of railways. Now, Sir, regrouping of railways has been under careful consideration for some time from the point of view of securing greater efficiency on the railways. But I am not sure that the measures he suggests would be wise. His suggestion was to put two or three systems under one General Manager. For instance, in Calcutta I gather that he would have one General Manager for the B.A Railway, the B.N. Railway and the E I Railway. The tendency of thought at the present time in regard to regrouping is that for efficiency you probably want rather smaller systems than you have got today. That is to say, where you have got a very big system like the East Indian Railway, it may lead to greater efficiency if you divide it up into two; and I do not myself feel that you will get a great deal of economy in administration by regrouping the railways But that is in no sense a dictum, we are going into this and in due course our proposals will be put before the appropriate body

Then, Sir, he suggested that there should be retrenchment of officers

Sri M. Ananthasayanam Ayyangar: I referred to retrenchment of offices as opposed to officers.

The Honourable Sir Edward Benthall: The officers hold the offices, and it comes to much the same thing He suggested retrenchment of offices, and I think he would give what was retrenched to the rest of the staff. If he will look at the figures in the *Administration Report* and work it out he will find that if we retrench the whole of our officers—the whole gazetted staff including the lower gazetted staff—and distribute it among the rest of the staff, on a rough calculation the rest of the staff would get only Rs 2/12/- per month.

His next suggestion was reduction of salaries and he was in favour of a maximum salary of one thousand five hundred rupees If you reduce the salaries of all officers above one thousand rupees to one thousand, you can only give eight annas per month to the rest of the staff But as, for instance, we are today giving Rs 13/8/- or Rs 13 in grain shop benefits alone, the Honourable Member will see that it is an infinitesimal amount when distributed among the rest of the staff. I suggest that if you want to reduce everybody's salary to a maximum limit perhaps the best way would be to do it by taxation I am only throwing out a suggestion, so that the merchant princes of the country would be reduced, as they are in the United Kingdom, to a dead level of £6,000 maximum or perhaps Rs 80,000 per annum That would not be fearfully popular among all sections of the House One could introduce an Estate Duty at the same time. But it is not reasonable to expect that you would get the best class of officer, Indian or European, if you make the emoluments of service very much lower than what can be got outside. To get a good class of officers you have got to make the top jobs reasonably attractive.

Sri M Ananthasayanam Ayyangar: What about the Railway Clearing Office?

The Honourable Sir Edward Benthall: I cannot deal with all my Honourable friend's points but with regard to the Railway Clearing Office I went into that

with the late Financial Commissioner, Mr. Zahid Husain, 18 months ago, and we then came to the conclusion that the continuance of that office was desirable. It has been under consideration from the point of view of economy on several occasions but the general conclusion hitherto has been that you would not get much economy or increased efficiency. It is an open point which is always worth re-investigation, but that is the result of our past investigations.

My Honourable friend mentioned coal raisings. Those are really matters for the Industries and Supplies Department. But I think he is quite wrong in suggesting that the scope of the Coal Inquiry is too narrow. If my Honourable friend would see the questionnaire that has been put out, it is a colossal string of questions and covers an extremely wide ground, in fact, I think the whole ground. I do not think it can be said that the terms of reference are restricted. I noticed my Honourable friend's remarks on stores, on third class passengers, on buildings and refreshment rooms and also on the rate of interest. My Honourable friend suggested that we should float debentures on railways at 3 per cent., instead of Government paying 3·48 per cent. to which figure it has come down. May I explain that it comes down each year according to the average rate of interest on Government's total outstanding borrowings. Therefore new borrowings which are now at about 3 per cent. will gradually bring it down each year.

Sir Cowasjee Jehangir: This money we have already borrowed.

The Honourable Sir Edward Benthall: Yes, for the purpose largely of railways. But I am grateful to my Honourable friend's suggestions. They are attempting to meet the situation, but as I shall go on to point out, I do not think they succeed.

Sri M. Ananthasayanam Ayyangar: What are your suggestions?

The Honourable Sir Edward Benthall: I am coming to them. My Honourable friend the Mover, a financier of great stature, whose mind is as broad as he is long.

Shri Sri Prakasa: May his shadow never get less.

The Honourable Sir Edward Benthall: My Honourable friend has said that we must examine the problem of how we are going to meet the diminishing receipts with expenses probably more or less stable, at any rate lagging behind the fall in receipts. Well, Sir, when you turn to economy the first thing you have to look at is the biggest item of your expenses, that is, staff. If you would look at page 3 of the Explanatory Memorandum, you will find in para. 9 that in 1938-39, our expenses on staff were 35·09 crores and they rose in 1945-46 to 75·11 crores, that is the increase of 40 crores which I mentioned in my budget speech. That is a total of 75 crores out of a total of ordinary working expenses, excluding special adjustments for locomotives, of 119 crores, that is to say, 75 crores out of 119 crores is represented by staff. Well, Sir, we are up against the problem of what to do. You can adopt a strictly economic line and thereby reduce the numbers. As my Honourable friend Prof. Ranga said yesterday, you should increase the efficiency. Reducing numbers and increasing efficiency would also thereby increase the chance of each individual getting better pay. But that would mean driving a large number of men out of work. You can keep the same number of men as you have got and reduce their emoluments right through. That, of course, would be very strongly resisted, and it is not Government's plan. This, therefore rules out economy in the biggest item of expenditure. It is a very serious problem and one that we have got to try and meet. The Government's policy is

Sri M. Ananthasayanam Ayyangar: Is the middle course

The Honourable Sir Edward Benthall: Government has a very clear policy in this matter. It would like of course to increase every railwayman's wages to, say, the standard of the British or the American railwayman. It would like to do that, but it would not be the right thing. As Prof. Ranga said you must keep the level of your railway workers and other Government workers roughly in accord with the standard of the community as a whole. What we are trying to do at the moment is to create work in and for the railways, and

we believe that so long as you can keep up the railway activity, there is a fair chance of keeping in employment the bulk of the railway workers. As Mr. Guruswami said in his last speech on the subject you should keep these men as long as there is work in the Department. That is what we are trying to do. We are not trying at the moment to go in for a policy of rigid retrenchment in the railways either by reducing the numbers or by reducing the pay. What we are trying to do is the constructive policy of trying to keep the railways busy. Two other items on which you would naturally look for economy would be coal and stores. I will not dwell on these, but I pointed out in my budget speech that our coal bill had gone up by no less than 12 crores of rupees. Obviously at some time or other there is room for very considerable economy there, and in my opinion the present basis cannot exist for ever. As regards stores prices, we do not know what the general level of stores prices, of steel, cement, and a hundred and one other articles that are wanted on the railway, will be, but one hopes that there will be a reduction in the prices of the very heavy item of stores which we consume. But I am inclined to agree that we cannot bridge the gap merely by economy.

The Honourable the Mover asked how we are going to meet the budget of 1947-48 I understand that was the purport of his speech. We come back to the old question of whether you are going to effect these economies in staff and coal or otherwise or whether if you cannot keep up the quantum of your traffic, you will have to increase the rates and fares. Obviously—and I pointed this out in 1944 in my budget speech—to increase the rates and fares at a time when trade was in difficulties and the level of prices was falling would be a very serious burden on traders. It is a thing that we want to avoid.

Now, Sir, I do not propose to indicate a budget for 1947-48, but what I have tried to do in this budget is to secure that the railways are in the best possible financial position at this critical juncture in India's history and to pose the problems of the future. I have not tried to settle these interlinked problems but only to bring to the notice of the House what they are I have also indicated that there is likely to be a gap and the question is how to bridge it. First, however are we certain that there need be a gap at all. Till there is a gap, I think we should adopt what I regard as a more constructive policy of trying to create work We, the Government as a whole, are aiming at an expanding economy generally and the railways are trying to make their contribution to it We have relatively a very heavy programme of rehabilitation and we are going ahead with all the activities that are likely to lead to further employment, we are going ahead with loco works, we are going ahead with a policy of new construction This is not very heavy this year because before you can embark on new construction, you will have to get out your surveys and lay your plans and all that takes time. But a new construction will consume steel and cement, it will occupy labour and it should help in keeping the general economy of the country going, that is to say it will help the steel works and it will help the cement works

3 P. M.

Shri Mohan Lal Saksena (Lucknow Division Non-Muhammadan Rural) What about the surveys already completed?

The Honourable Sir Edward Benthall: There are very few of them which are completed up to a stage where you can start work, but where they are completed we are endeavouring to start

If we are going to get through the difficult period which is ahead of us, we have, in my opinion, got to make a very wise and careful use of our reserves. It is tempting to spend all the money we have got in creating activity at the moment, but if we squander away our reserves now, we shall come to a period of real slump when we will have nothing to spend. You have an example of that in the past history; In the goodish times in the twenties we spent lavishly and when we came to the thirties and ought to have spent money to keep up the economy of the Railways and the country in general we had not got much left to spend. And, therefore, Sir, we consider that it is a wise policy that we should have a steady planned programme for all these post-war works. We are, for instance, planning the production of engines

and wagons on a more or less steady basis over a number of years, a programme which we hope will not be affected by fluctuations in business activity generally. Whether times are good or times are bad we hope to keep going a steady programme of construction.

Then, Sir, another requisite to ensure a sound position in the future is a sound correlation of our rates and fares structure with the structure of our wages and other expenditure. I do not think I need go into that. I do not want to be controversial again after yesterday, but, Sir, one of the props which we were looking to for future stability was knocked away yesterday. As the Wedgewood Report pointed out, road competition had taken away 4½ crores from the Railways before the war, and, if I remember aright, the Wedgewood Committee expected it to double in the following decade. If you take the lesson of what happened in the United States, you will find that between 1921 and 1939 they closed, owing to competition from other forms of transport, no less than 22,000 route miles, that is to say they closed a route mileage equivalent to half the mileage of the whole Indian Railways, and 38 per cent. of the American Railways, that is about 2,40,000 miles, were not paying even their interest. I don't want to dilate on that, but obviously if you have not got a co-ordinated policy, well, whoever is in charge of Railway finances in the future is bound to have a much more difficult time.

Sri M. Ananthasayanam Ayyangar: Why don't you think of coastal shipping also?

The Honourable Sir Edward Benthall: We have We raised the railway port to port rates in order to make them level with the coastal rates, in order that shippers may not lose by being forced to ship their goods by sea as Sea rates had gone infinitely higher than rail rates; that is why we had to do it. They are co-ordinated.

Finally, on looking to the future and trying to get an expanding and stable economic position, the country as a whole has to depend upon a period of tranquility, a time when business people can go ahead with their schemes of production in confidence, and that depends upon a sound and stable political position which we hope will be forthcoming as a result of the discussions. If, on the contrary, you have periods of disturbance, business will be affected, railways will be affected, and there will be less obviously for everyone to eat or to wear.

I think that covers, in broad outline, the sort of policy which we have in mind for stabilizing the future financial position of the railways As I said in my budget speech, I don't think the financial position is at all unsound It is not as healthy as one would have wished. Possibly on another cut motion we shall deal with the question of the healthiness of the depreciation fund, but, on the whole, I think I can say with a good conscience that the railway finances are in a sounder position than they have ever been before. I should like to take this opportunity of recognizing the assistance that we have had from the Standing Finance Committee and from other committees of the House Naturally we don't always agree and we have not been able to accept every one of their recommendations, but I think we have accepted a good 90 per cent. of them, and I think that on the whole the results of the co-operation between the Standing Finance Committee and the Government have led to a position which is not unsound, and I fully believe that the same courage and wisdom will be found in dealing with problems of the future, problems far more difficult than we have had in the last five years.

I have tried to cover the ground that my Honourable friend opened up I hope he finds what I have said reasonably satisfactory, and will not press his motion. I hope this time I am not hoping in vain.

Sri M. Ananthasayanam Ayyangar: Rs. 100 is nothing in Rs thirty-five crores

Mr. President: Would the Honourable Member like to withdraw his motion?

Mr. C. P. Lawson: Sir, I did not anticipate that the Honouable the War Transport Member would be up quite so soon since only one Honourable Member has spoken since the mover . . . .

Mr. President: I will make the position clear. It was not with a view to reply that I called upon the Honourable the War Transport Member to speak. It was arranged yesterday that somebody on behalf of Government will put the Government case before the House and then the motion will be discussed. The Honourable Member will have the right to reply afterwards.

Dr. Sir Zia Uddin Ahmad: Mr. Hirtzel has raised the very important question of railway economy, which I suppose nobody has ever considered, that is the relation of the operating ratio to the income and to the rates and fares. The operating ratio is a subject to which very few financiers of economy pay serious attention.

Sri M. Ananthasayanam Ayyangar: On a point of information. What is the operating ratio unless it has some reference to the income?

Dr. Sir Zia Uddin Ahmad: The operating ratio is the expenditure divided by the gross income. In boom time the operating ratio comes down and in the time of depression the operating ratio always goes up and then we judge the welfare of the railway employees and measure it by means of the operating ratio. In the period of greatest depression in 1931, which the House remembers, we had been fighting all the time on the floor of the House that Railway employees should not be retrenched. Our operating ratio at that time was rather low. In fact it ought to have been much more during the time of depression and I quoted at that time some figures which are really exceedingly important. During the time of depression the operating ratio in India was only 65·03 and it was the lowest, except that for Japan where it was 61·77. The operating ratio at the time of the greatest depression in the United Kingdom was 81·25, in Denmark 102 and France 110. That is the expenditure was greater than the gross income at the time of the depression, and then the question arose how is this to be met and the deficit should always be met by a special fund which is called the Equalisation Fund, which my friend has divided up into three heads called Depreciation Reserve Fund, Reserve Fund and Betterment Fund. I always felt that there should be one fund to meet all the troubles including the troubles that arise in the time of the depression, when the operating ratio is greater and must be met by this Equalisation Fund. The second point to which Mr. Hirtzel's attention has not been drawn is—I wonder if he has studied it—that in every other country there is one operating ratio. In India there are two. If you consult 'the Statistique national des chemins de fer de Monde' you will find that on the operating ratios of all the countries of the world—and the operating ratios of 74 countries—are given—for every country there is one operating ratio given. In the case of India there are two operating ratios, one with the Depreciation Fund and the other without it and difference between them is abnormal. I calculated the true operating ratios and published in my book. This shows that we are the only country which has not made up its mind what the Depreciation Fund really is. Is it a reserve or an expenditure? That is the reason why we have two Depreciation Funds. The War Transport Member has been talking of business method but this part of the business never entered into his head or of any Railway man in any other country. Why should there be two operating ratios for India and one for the rest of the world? This means that the whole theory of his depreciation requires very serious consideration and should be brought on the level of the theory in other countries, because we are not the only country that runs railways. There are other countries whose railway systems are much better and whose financial arrangements are superior to ours. In this matter we should not make any attempt to give a lead because the lead is the mislead. Depreciation should be depreciation and not reserve.

The other thing which is very useful is that in the operating ratio there is one expenditure which ought to be taken into consideration. That is the expenditure which we have to incur on account of the dearness allowance. Dearness not only in wages but also in the price of coal. The dearness allowance is an expenditure which is very peculiar and is due to the fall in the purchasing power of the rupee. In this case a third operating ratio ought to have been

[Dr. Sir Zia Uddin Ahmad]

shown in the current budget, the operating ratio after making the dearness allowance to see how dearness allowance affects our operating ratio.

If you have studied rates and fares, I am inclined to believe that the rise in the operating ratio, due to the fall in the purchasing power of the rupee must also influence your rates and fares. If your operating ratio rises on account of the fall in the purchasing power of the rupee naturally the purchasing power of the rupee must affect the rates and fares. Why should it affect only the wages, only the food, the clothing, the ekka-wallahs? Why not the railways as well? Therefore the rates and fares should be increased if there is a depression in the purchasing value of the rupee. If there is a fall in the purchasing power of the rupee then every business, every form of transport raises its rates and fares, then I think it is just and reasonable that the railways should follow suit. It is not increasing the rates and fares. The increase is only visible on account of the contraction of the measuring rod. The purchasing power of the rupee has fallen and therefore it will effect the prices of all articles all forms of wages and rates of transport. It ought to be clearly stated in framing the theory of rates and fares whether your operating ratio is due to the fall in the purchasing power of the rupee, and to the same extent, I think, the rates and fares ought to be increased. That is one point which my friend the Railway Transport Member repeatedly raised on the floor of the House, but he could not give sufficient reasons to convince us that they ought to be raised.

Therefore, I think the whole of this question which Mr. Hirtzel has raised requires very careful consideration and I do not think we have any railway economist in India who is studying this problem. I think the Railway Board ought to take up the formal study of this question, that is the relation between the operating ratio, income whatever it may be, the manner in which the losses should be borne in the time of depression and their effect on the rates and fares. Of course during a time of depression, you cannot possibly increase, otherwise the depression will become more acute. The losses in that case ought to be borne by some reserve. If it is due to other causes that should be taken into account. Therefore, the relation of these three factors ought to be studied. I am glad that attention has been drawn to this and that somebody interested in this will make an attempt to solve the problem.

Prof. N. G. Ranga: I cannot agree with my Honourable friend, Dr. Zia Uddin when he says in such a lighthearted manner that the question of raising rates and fares, with special reference to what he calls inflation, should be re-examined. Sir, if inflation there has been, this question should have been taken up six years ago. Government, for their own good reasons did not take it up because according to the prevailing rates and fares, Government was loaded with such high profits that they were able to disgorge large portions of it in order to repay what could not be paid, the accumulated deficits in regard to the railway conversion and also to place quite large quantities of money in the Depreciation Fund, etc. Now everybody knows that efforts are being made, though not with much success, for the Government to effect a reduction in the total quantity of money that is in circulation, and it is feared also in very many quarters that India as well as the rest of the world may very soon come to be faced with an economic depression. Is this the time when we should be thinking of raising rates and fares merely on the plea that there has been till now an inflation in our currency circulation and therefore money has become cheaper and so people may be made to pay more and more? I certainly cannot agree with my Honourable friend Dr. Zia Uddin Ahmad. This certainly is not the time.

Dr. Sir Zia Uddin Ahmad: Your measuring rod is the purchasing power of paper rupee.

Prof. N. G. Ranga: I do not know what the Honourable Member means by 'measuring rod'. We know one thing that is that money is going to become dearer and dearer. Therefore it will be more and more difficult hereafter for

people to continue to pay the same rates and fares. Therefore this is not the time when that ought to be considered.

Then he referred to the working expenses and the ratio. There are two ratios in this country. There is only one in America. We know that with the ratios that we have today our railways are making such a bad show of it. I do hope that there will be only one ratio I am not one of those people who think that Indians today pay much less than what ought to be paid for the services rendered by the railways. Therefore I cannot agree with my Honourable friend and I trust that the Railway Member will not run away with this little bit that is thrown to them by my Honourable friend and then start inquiring afresh into the necessity of otherwise for the revision of rates and fares to the detriment of the users of the railways.

Mr. C. P. Lawson: Mr. President, to speak on this particular subject is a little off my beat. I have rarely spoken on a Railway Budget before nor have I belonged to any of the Railway Committees. That removes from me any inhibitions or any wish to deal with any but the broadest issues. I am concerned mainly with the concluding portion of the Honourable the War Transport Member's Budget speech from which I take the following extract:

"The one great essential which has to be faced is the war time legacy of high level of operating costs and the postwar commitments for amenities together with a level of rates and fares out of tune with the general level of prices."

Now, that, Sir, was the basis on which this cut motion was moved and viewing it from a purely lay point of view and not thinking of anything in the way of reserve or amortisation funds and the like, it seems to me that this danger has got to be faced in one or two ways Either the Railways have got to make money or they have got to save money I think it will generally be admitted that it is far better to make money if we can and save money too but the making of money by the Railways would quite clearly be the more advantageous form. I will not conceal from the House that I am afraid of retrenchment. I fear that there would be a loss of efficiency I fear that any attempt to retrench to the extent that will be required to meet what seems to me to be a large and widening difference between revenue and expenditure, any attempt to meet that sum by retrenchment will undoubtedly, to my mind, lead to a loss of efficiency. It may in fact improve your financial position and, at the same time, increase your accidents. So, Sir, I would like to direct my attention to the methods whereby the Railways might try and make a little money, make a bit more than is ordinarily adumbrated in their normal planning. Their planning, if I may say so, seems to me to be a rather parochial type of planning dealing, I suppose, quite naturally with railway affairs, without very much regard to whether the railway affairs will cross the affairs of other departments. It seems to me, Sir, that quite apart from making money the Railways, as a very large, shall I say, business undertaking, have got to consider the type of money-making which will induce industrial activity, which will altogether hot up the general process, which I take to be a process based on an expansionist theory. Well, now what particular processes that the Railway might employ would be most likely to boost ancilliary forms of activity? For instance, let us consider the manufacture of new railway lines. Thinking of it purely as a business proposition, there will be earth work there will be labour employed, there will be steel To a large extent you will be using labour, you will be using material which will have to be brought and that is all good But what other projects are there which would induce wider and larger activities. I am thinking, for instance, of building which I think, is generally taken to be a form of activity which throws the net wide

An Honourable Member: Unproductive

Mr. C. P. Lawson: I am coming to that a little later Wait a minute

In thinking of building my mind, again purely lay, with no knowledge of the working of the Railway Member's mind, which is undoubtedly as large as is his stature and the stature of the mover—I am struck by the possibility of building railway hotels I think anybody who has travelled abroad and certainly anybody who visits this country, is immediately struck by the low standard of hotels in this country. All other countries have railway hotels.

[Mr. C. P. Lawson]

which bring in a considerable amount of revenue. Why should we not have some decent railway hotels or even some decent hotels in this country? (*Interruption* by Prof. N. G. Ranga) I was just waiting for a scream of protest from Prof. Ranga, who I see getting ready to spring, whenever I mention even the smallest matter which might be described as a luxury. I think I heard my friend Mr. Ayyangar say just now that he would consider no item of retrenchment too small. May I match that remark of his on the other side by saying that I consider no item of profit too small. I know that Mr. Ranga and others would like to increase the wages of the lower grades and decrease the wages of the upper grades until in due course of time everybody would be on a common wage. I do not know how that would suit certain, say, High Court barristers, who get large fees for their briefs. I do not know how it would even suit members of this House, whose allowances have increased since the war started, certainly more than the 8 per cent. that has been put on the rates and fares of the railways. But the point that I was getting to was this: that if the happy state of affairs that Prof. Ranga and possibly others would like was achieved, and everybody reached a common wage, I will guarantee that at the end of the first year there would be a certain section of the public with money in hand and a certain section of the public that were owing money to the rest. Now, will there be any harm in making a little profit by relieving the people who have got the money—they will always exist—so if they will only hand out their money by buying luxuries, is there any particular harm in supplying them with the luxuries that they can pay for and make them pay for it? Every time we mention hotels or air-conditioned coaches and like luxuries, I get ready for the launching of an attack from the other side. But I am not cutting out the amenities for the poor; I am not cutting out any kind of development of that sort. But if by making some little advance in the direction of touching the luxury trade our railways can make a bit more money, I would very much like to see them do so . . . .

Sri M. Ananthasayanam Ayyangar: May I remind my Honourable friend that we are all for departmental catering? We have been insisting upon it.

Mr. C. P. Lawson: I thank my Honourable friend, that is certainly one of the forms: let us have departmental catering—large establishments and good meals which would be a nice change from the present. . . .

Prof. N. G. Ranga: While all others go starving, you want to have sumptuous meals?

Mr. C. P. Lawson: I do not want anybody to starve and I do not suggest for a moment anything in the way of sumptuous meals. I am merely trying in the sense of this cut motion to suggest means whereby extra profits are made in other countries and whereby profits could equally be made in this country; I do not see any particular objection to that.

Another point, and I do not know whether the Railway benches will have any chance to reply to it today, is this: I was wondering whether they had considered the possibility of money-making out of the various hydro-electric schemes that are now on the stocks. These various hydro-electric schemes are of course largely under provincial direction; and I dare say as usual there are a certain amount of water-tight compartments going on, those subjects which are provincial subjects are being closely associated with these hydro-electric schemes—agriculture and so on, irrigation and the like are very closely associated; and I am wondering—we have not heard for some time or to what extent railways are concerning themselves with these hydro-electric schemes and the utilisation of cheap power. It seems to me that on the Bombay side they seem to run very efficient electric service on the trains and with the very cheap power that these hydro-electric schemes seem likely to produce, there seems to me no reason why there should not be a saving in coal costs and a certain help there.

Now, I do not propose to touch the vexed question of rates and fares, although of course there is no question that the ordinary business method of getting yourself out of a financial fix is the normal one of charging people a bit

more. It seems to me that if you do embrace an expansionist theory, you have got to embrace that in all its aspects. The possibility of one particular portion of your expansionist theory being retarded while all the rest are advanced seems to me to be wrong, particularly since all these various departments are dependent on one another. That is to say, if one particular form of transport, say, the railways, starts to lose money and go down-hill, its effect is wide, and all other forms not only of transport but of business must go the same way; and if that is the case I think you are talking between two stools and not going the way things should go.

These are just a few of the points I wanted to put forward as constructive suggestions as to means whereby revenue might be increased. I could put over a lot more which possibly would be more in the nature of a debate on the actual forward plans of the railway. That must be a pleasure that I must save up for the War Transport Member for a later day, and I will leave it there.

Sir Cowasjee Jehangir: Sir, I do not intend to take up very much of the precious time of the House. But this debate reminds me of the many warnings we have given the Honourable Member in charge of the railways during those years in which money flowed into his coffers. I can well remember the days when the railways made losses, year in and year out. During those days, as the Honourable Member has reminded the House, according to the convention, the railways were made to pay a certain amount to the general treasury and it was debited to the railways when they could not pay. When the time came, when money rolled into the coffers of the railways, what happened to that convention? It was promptly put into the waste paper basket. Moneys were taken away to the general treasury. Even a sufficient amount was not set aside for the depreciation fund, till a committee had to be appointed and the committee made the railway department put aside what they thought was a reasonable amount for depreciation.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)]

Our expenditure has gone up by leaps and bounds because the activities of the railways went up by leaps and bounds. There is no convention in existence I presume that it will be one of the duties of the Honourable Member in charge to place before this House a convention to take the place of the one that has been put into the waste paper basket. I do not know when he will do it, when that event will take place I presume he intends to appoint a committee to go into the question—there was a committee in existence, I do not know what has happened to that committee. That has gone into the waste paper basket too for the time being, but something will have to be done, and a new convention will have to be studied by this House and brought into existence. When that is done and we fix the question of depreciation, then we shall perhaps be in a better position to judge of the future of the railways I was just saying that our activities on the railways have gone up by leaps and bounds. Due to the war the railways had to employ men in much larger numbers than they have ever done before in the history of the railways. Those activities are now decreasing; and what is the agitation we find all over the country—that there should be no retrenchment, that they should go on employing men that they really do not require. Well, if that is the proposal, that has to be seriously considered. I see the point that you cannot suddenly thrust large numbers of people into unemployment. The taxpayer has to pay for it. He pays for it in one way or another. The railways belong to the taxpayer Go on employing these men in the railways even if it means a loss and don't put them into the streets—I can understand that point of view. If that point of view is to be accepted, then it is no use talking about your ratio of costs. You are incurring costs deliberately in order to stop unemployment. It is a head of expenditure which you are incurring for a particular purpose—nothing to do with the railways. You are creating work in order to employ a certain number of

[Sir Cowasjee Jehangir]

men. Well, that question will have to be considered most seriously. I would beg the Honourable House to realise that the Railways are a great asset of the country. The country cannot afford to play about with the finances of their railways. They must go back to pre-war mentality. Our coat must be cut according to our cloth. We cannot afford to go in for luxuries when we cannot afford them. Some of my Honourable friends sitting behind me will say that the railways have no right to retrench the men that they have employed. They must find work. If that is the point of view, then let us not talk of the railways being a business concern. Let us call it a pure and simple philanthropic institution, a charity to keep up employment. Now that the war is over, the whole debate seems to me to be rather premature. We do not know what the Convention is. We do not know what the Finance Member has to say about his share of the profits, if there are profits. If there are losses, is he going to share the losses? We do not know whether a reasonable amount of depreciation is going to be allowed to the railways. Or, is there going to be quibbling on the question of depreciation? Is there going to be arguments? I would again appeal to the House to treat this matter in the most serious manner possible or else these railways instead of being a great asset to the country may become a cause of the greatest anxiety. We have seen profits and we have seen losses. In the days of profits, warnings were not heeded. The days of losses are coming and steps will have to be taken to see that those losses are cut in a way that is the most equitable for all concerned.

Mr. Muhammad Nauman: I should not have got up to speak on this cut motion but for the fact that certain remarks were made by Sir Cowasjee Jehangir and other members who said that we have got to define our policy as to the financial position of the railways in relation to the general exchequer. Whether the general exchequer is going to be a party to our losses or not is an issue which Sir Cowasjee Jehangir thinks this House must decide once for all. Personally I believe that the general exchequer has got to be responsible for the losses in Railways so long as Railways are taken as "Public utility organisation" as well. Now, I am not going to say whether the railways should take up retrenchment or not and whether they should employ men irrespective of the fact that they require them or not. What we have suggested all along is that the railways should take up such projects as would be profitable to the railways as a business concern and give employment to as many men as possible. From the very beginning my position has been that I have never opposed retrenchment in principle. I have always said that no Government in the world can maintain a war time organisation in normal condition. No organisation, big or small, railways or others, can maintain all those employees whom they recruited for a particular contingency but certainly it is open to us to advise the railways to find new projects which would absorb as many of them as possible and practicable. In this connection my learned friend Mr. Lawson speaking before Sir Cowasjee Jehangir has already suggested the idea of the Railway Hotel and departmental catering. I am getting confirmation from Mr. Lawson that the departmental catering should be taken up and all these contracts which exist in the railways should be done away with, for catering, for employment of coolies, for pay and cash establishment, for raising of coal from collieries and many others. The less said about corruption in the contract system the better. The less said about food supplied by these contractors the better. This House has been considering this issue for very many years. In spite of all inquiries that the Railway authorities have made, they have not been able to implement these assurances and those recommendations which we have made from time to time. The Honourable Member for War Transport this time has promised to go into these things one by one and probably we would have the satisfaction of seeing that we have got the right kind of thing that we wanted and that all contract systems are abolished.

Another issue which I wanted to raise was with regard to the question put by the Honourable the Railway Member a few days ago whether we would be a party to the raising of rates of freight and fares on the Railways. My friend Dr. Sir Zia Uddin Ahmad said that as the buying capacity of the rupee has been diminished, probably there may be some justification in connection with the working ratio issue and in connection with the working expenses and the income position of the Railways and I am here to oppose it tooth and nail. I agree with Prof. Ranga when he said that you have no case for any increase. Honourable the Railway Member said that 22,000 miles railway services had to be discontinued in the U. S. A. because they could not compete with the automobile road service there. I am not going to indulge in that but I would just like to tell the Honourable Member . . . . .

The Honourable Sir Edward Benthall: It is a bit awkward for you to talk about it.

Mr. Muhammad Nauman: The House has given a verdict on it. I do not want to discuss a subject which has already been discussed and on which I have already expressed an opinion. I would like to tell the Honourable Member that the rates of freight and fares are already higher in this country compared to the standard of living in this country and the *per capita* wealth of India as they compare with the standard of living and the *per capita* wealth of other countries. Does the Honourable Member for Railways know that the individual wealth in this country which means the *per capita* wealth is only about Rs. 64, whereas that of the U. S. A. is nearly Rs. 1,300 and that of U. K. is Rs. 900? As such the incidence of taxation by Railways or the effect of the rates and fares in this country is certainly by far the highest than it is in those countries.

Another issue which I wanted to raise is this. Does the Government Member realise that the amount of comfort that he gives and the amount of amenities that he has provided on the railways do not justify even that much as is prevailing on the Railways today? Any good company which was being run on the basis of profit and loss would not have kept the conditions of Railways so distressing as they are today. The Honourable Member for Government may ask me why the Railway Companies did not improve conditions when these railways were being managed by directors of commercial companies? They did not improve because they had the Government of India's guarantee for a certain amount of interest to be paid to them. They knew that the investment was a paying concern at all times and if they neglected the country or the business of efficient Railway service it will not be a matter of any concern to them. That is the position which the Honourable Member should realise. I am only compelled to make these remarks because I notice that on previous occasions the Honourable Member tried to get an answer from this House as to how we would like the increase of the rates of fares and freight. As we were trying to increase the dearness allowance and to provide other amenities to labour he thought we could sanction him a lighter rate as well. Naturally, there he meant that we have got to find money from somewhere and the proposal that he had in his mind was by increasing the rates of freight and fares. So far as the rate of freight for the movement of the commercial goods are concerned, I have not got much time to discuss it elaborately but the Honourable Member would see that no facilities have been provided for the industrial development or development of cottage industries and agricultural commodities of this country. The rates are more favourable from port to port, and their means only imports and exports have got a certain advantage which the industrial production have not got in this country.

Now, I would like to say whether in any country if these railways were to run definitely on a commercial basis; would they keep their concern in the condition in which they have been kept so far? Would they be so adamant in their policy and would they be so callous to all those things which have been said in this House from time to time? In the last two days I think we have

[Mr. Muhammad Nauman]

told Government exactly what the country feels about the management of the railway administration. We have told them how corruption, thefts and pefferages are going on; we have told them what has been their attitude in the matter of the settlement of claims. Sir Edward Benthall happens to be a businessman of a very high order. Could he tell me that Bird and Co. would behave like that if these railways were owned by them, whose boss he happens to be? I do not suppose in any country or in any business concern this sort of thing would have been allowed to exist. Things are going on in this fashion in this country because its representatives have as yet no power or force to shape things to their own plan and can keep no check on the Railway Board. In conclusion I would only suggest that Sir Edward Benthall should believe that the railways are a commercial concern and he should behave in the manner in which a commercial concern should behave and should rely on the exchequer only for such contingencies which may arise and when we may have to bear the losses or share the profits as Railways are also utility concern, organisation.

Mr. A. C. Turner (Government of India: Nominated Official): Sir, the question of operating ratios has been raised and I think very rightly so. Our working expenses for 1945-46, that is, our revenue expenditure, excluding special adjustments, comes to 119 crores and the gross revenue receipts are estimated at 225 crores. That gives an operating ratio of 61·7. Next year our estimated gross receipts are 190 crores and the operating ratio rises to 73·4. Should we go back to our pre-war level of receipts, adding the 8 per cent increase in rates and fares the gross receipts would fall to 108 crores, which is below the present time revenue expenses. In other words, the operating ratio would be over 100. Sir, I think my Honourable friend Mr. Hirtzel was very right in drawing attention to that fact and it is a matter of considerable anxiety both to the Railway Board and to the Government, and so it should be to this House. The picture is probably not quite so bad as this, because if our gross receipts fall, there will be some, though not as much, fall in our working expenses. However, the position, even allowing for that factor, is sufficiently serious.

I think there was a good deal in what my Honourable friend Dr. Sir Zia Uddin Ahmad said about the fall in the value of money. That point was referred to by the Honourable the Leader of the House in his Budget speech when he pointed out that we are at present saddled with a level of rates and fares which is out of keeping with the ordinary level of prices. If prices keep up and if wages consequently, have to keep up then our working expenses are bound to remain high and surely in the end we may be forced to increase our rates and fares.

Prof. N. G. Ranga: Is it not a fact that during the depression there was no reduction in the rates and fares and that the rates and fares have been continually increasing and not decreasing?

Mr. A. C. Turner: Sir, I think there were some reductions . . . . .

Prof. N. G. Ranga: There were appreciable reductions. Is that the information of the Honourable the Railway Member?

The Honourable Sir Edward Benthall: My information is that there was no question of wholesale reduction but rates were constantly adjusted downwards to meet, for instance, coastal shipping rates and also to meet road transport competition. I recall, for instance, special rates in competition with road rates in the Punjab which were excessively low.

Prof. N. G. Ranga: Was it not due here and there to local competition that they had to meet with the rates of the coastal shipping? It was certainly not due to economic depression at all.

Mr. A. C. Turner: I heard it suggested from one quarter of the House today that the railways are creating unremunerative work. I would like to dispel that impression. That is not the policy of the railways. The policy of the railways is to find work which will be remunerative and keep the railwaymen employed on that work. If we fail to find remunerative work, we shall have no

option but to retrench and it will then be for the Government as a whole to find work for the workers so displaced.

Another suggestion made was that the railways should go in for luxury hotels. That evoked a certain amount of response from the other side . . . . . .

4 P.M.

Mr. Deputy President: Has the Honourable Member finished his speech?

Mr. A. C. Turner: Not yet, Sir.

Mr. Deputy President: The Honourable Member's time is up and another cut motion will be taken up now. It is now 4 o'clock and the time of the European Group is finished.

Sri M. Ananthasayanam Ayyangar: That means it is talked out.

Mr. Deputy President: Yes, it is talked out because the Honourable Member has not finished his speech in time.

Now, we shall take up the cut motions of Unattached Members. May I know if any arrangement has been come to among the Unattached Members about the time to be taken on each cut motion.

Lt. Col. Dr. J. C. Chatterjee: We take our chances. There is no arrangement.

Sardar Mangal Singh (East Punjab: Sikh): It is fifty-fifty, Sir.

Mr. Deputy President: All right, Sardar Mangal Singh will move his amendment.

Inadequate representation of Sikhs in Railway Services

Sardar Mangal Singh: Sir, I move.

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sir, I wish, by this Motion, to discuss the inadequate representation of the Sikhs in the railway services. Sir, my justification for coming before this Honourable House is that the points which we raised last year have not been appreciated and conceded by the Railway Department. I should not take up much of the time of the House, but I must say that we, the Sikhs, and our sister community the Christians have suffered from a particular disadvantage which I would request this House to realise. The smaller minority communities consisting of the Sikhs, the Indian Christians, Anglo-Indians and the Domiciled Europeans and the Parsis are bracketted together and given 8 1/3 per cent. representation in the services. Now, Sir, from this share, the lion's share has been taken away by the Anglo-Indians and the Domiciled European community, if I may say so, without giving any offence to my Honourable friend behind me. They are cent. per cent. literate and they have easy access to the higher authorities who make the appointments. Therefore we, the Sikhs and the Indian Christians suffer by this arrangement. The population of the smaller minority communities is 76 lakhs out of which the Sikhs form 41 lakhs and the Indian Christians form 33 lakhs.

Lt.-Col. Dr. J. C. Chatterjee (Nominated Non-Official): That is a matter of dispute.

Sardar Mangal Singh: I submit that this share should be divided among ourselves according to our population ratio. This is a sort of family partition. By this arrangement, the interests of the Muslims or the Hindus are not affected in any way. I do recognise the force of the claim of the Muslims that their share should be made up as soon as possible. In the railway services the Muslims are under represented and it is quite just and fair that they should be given due representation. Similarly, we, the Sikhs and the Indian Christians also claim that our due share should also be reserved in this block, as the Anglo-Indians and the Domiciled Europeans are gaining at our expense. This is in a nutshell our whole case. If we make this sort of family partition, then the

[Sardar Mangal Singh]

share of the Sikhs would come to about 4·5 per cent. At present we are hardly getting two per cent. Then, Sir, in the recruitment for this year, we have not got even this much. In this year, altogether 107 appointments have been made to the superior services and only one Sikh has been taken. Not only that, while making promotions to the superior services 25 lower gazetted officers and subordinates were promoted to the superior services during the year. Of these 11 were Hindus, 3 Muslims, 5 Anglo-Indians and one belonging to the Parsi community and no Sikh or Indian Christian was promoted. Then, Sir, 25 promotions were made to the lower gazetted services in the various departments. Of these 18 Indians, 9 were Hindus, one Muslim, 6 Anglo-Indians or Domiciled Europeans and two Indian Christians and no Sikh. Sir, my complaint is that even this 2·2 per cent. which we were told last year we were getting as our share, even this much is not maintained while making recruitment to the services. The reason is that the Sikh community is largely concentrated in one Province, and recruitment is going on all over the country and the present rules for locally recruited areas are defective. Last year also, we submitted, myself and my friend Sardar Sant Singh submitted, and made strong representations that these rules of recruitment should be amended and that separate share of services should be reserved for the Sikhs. But I am sorry to say the Government of India in the Railway Department have not given their attention to this question. We say, Sir, injustice is done to us even in this House. While discussing these cut motions, about four hours have been allotted to the European Group consisting of eight or nine Members, while we, here, twenty unattached members are given only one hour to move our cuts.

Mr. P. J. Griffiths (Assam: European): We are a Group.

Sardar Mangal Singh: But we are 20 in numbers while you are only eight or nine.

Mr. P. J. Griffiths: Then come and join us.

Sardar Mangal Singh: If you can tolerate my beard and admit me. Now, Sir, in the case of recruitment to the superior services, the same is the story. Out of 2,000 persons recruited, there are only 20 Sikhs. So, I request the Honourable the Railway Member to look into this question also. He can take steps in two directions, firstly he should fix a separate share for the Sikhs and Indian Christians and secondly he should make some amendments in the rules for recruitment. I see on the G. I. P. where the population of the minority communities is less, in the recruitment for smaller minorities more share is given, while in N. W. R., although the population of the minority communities is much greater, only six per cent. is reserved for their recruitment. I would submit that just as rules have been framed for recruitment to take in more Muslims, similarly on the same lines rules to take in the Sikhs and Indian Christians should be framed so that our deficiencies may be made up in the next few years. Sir, with these words, I move.

Mr. Deputy President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Lt.-Col. Dr. J. C. Chatterjee: Mr. Deputy President, my Honourable friend Sardar Mangal Singh has referred to my community in such, shall I say, affectionate terms that I feel that it is my bounden duty to stand up and support his Motion. But, Sir, I do so for very different reasons. I feel, Sir, that in supporting his Motion, I should state here and now and clearly that I do not want to participate in this struggle for loaves and fishes. Nor do I plead for any more miserable crumps of office for my own community. Sir, I stand up and support the motion in order to register an emphatic protest against the whole system of recruitment to public offices in this country. I think it is a crying disgrace that the public services of this country should be recruited on any basis of communal representation at all. There was a time when a man's best qualification for holding office, and particularly a good office, under Government was

the pigment of his skin. Now it is becoming increasingly, and I think even more unfortunately, clear that the first and foremost qualification for a man to hold office in the public services of his country is to be his religious or communal label. I think so long as this pernicious system goes on there can be no real efficiency in the public services of this country. So far as my community is concerned—and I feel that I am representing to you honestly and fairly the view of the thinking portion of my community the vast majority of whom are poor and are neither landlords nor commercial magnates and therefore have to depend for their livelihood on their daily wages—but are prepared to say and stand by it for all time that merit and merit alone should be the sole criterion for entry into the public services of the country, whether the office is great or whether it is small. I feel that it is not much use censuring Government on matters of this kind. I feel, Sir, that we have now got into the habit of blaming Government for every possible thing. It may be true that Government have seen their opportunity to divide us further by introducing this method of representation on communal lines. But we have to ask ourselves—even my Honourable friends opposite have to ask themselves whether we are not ourselves responsible for giving them this opportunity to throw among us an apple of discord. I say that even among the minorities they have thrown an apple of discord by giving them a round proportion of 8½ per cent and then not saying how that proportion is to be divided. But I shall give them their due; they are impartial in the sense that they have no particular love for any particular community; they do not love the Hindu more than the Muslim and they certainly do not love the Indian Christian. They may have some remorseful affection for the Anglo-Indians; but otherwise they are impartial and they give jobs not according to merit but on the nuisance value of each community; the greater the nuisance value of the community the greater will be their weightage in the public services, and even in this House and other legislatures. I submit that this is a disgraceful state of affairs. But the question goes much deeper; we must go to the root of it. Why has this pernicious system of communal representations come in? Who is really responsible and how far has it gone? The other day my Honourable friend Mr. Nauman complained about the inadequacy of promotions among the Muslim staff in the railways and said . . . . .

Mr. Deputy President: Order, order. I do not wish to stop the Honourable Member, but the issue before the House is the inadequacy of Sikh representation in the railway services, and the Honourable Member should confine himself to that aspect, though a reference was made to his own community. But the time allotted for this debate is only half an hour, and the Honourable Member has already spoken for five minutes.

Lt.-Col. Dr. J. C. Chatterjee: I was developing my argument to show how this trouble about the communal percentage can be removed.

Mr. Deputy President: That is a broader question, the time allowed for this is only half an hour.

Lt.-Col. Dr. J. C. Chatterjee: I will take only five minutes more. Sir, I have had some experience of Government administration. Directly a man is charged with some act of indiscipline or neglect of duty and asked for an explanation, the first defence he puts down is, "I am a Hindu and my superior officer is a Muhammadan and therefore this charge has been trumped up against me"; and *vice-versa*, and the same thing goes on. Sir, we stand today on the threshold of a new era; at any rate we are continually reminded that it is so. Therefore I want to speak to my friends opposite and I want to ask them whether, when they take over the Government, they are prepared to make merit and merit alone the first test and the sole test for admission into the railway services—we are discussing railways now but it should be true of all public services—and thereby remove this canker and this trouble. Why is it that my Honourable friend today has asked for more representation for Sikhs and for Indian Christians? Why is it that my Honourable friends there yesterday asked for more representation for Muslims? There must be something wrong

Mr. Deputy President: Order, order. I have allowed a good deal of latitude to the Honourable Member to discuss it. I have reminded him that the narrow issue before the House is not the general policy about communal representation but the insufficient representation of Sikhs, and if the Honourable Member has any contribution to make on that point he can go on. Otherwise I will have to ask him to stop.

Lt.-Col. Dr. J. C. Chatterjee: I will wind up in one sentence. I will merely say that as he has brought in the Indian Christians into it; and in view of what he said I feel that as the present state of affairs stands—which I consider is vile—his community and my community are badly treated—so long as this system lasts I support his motion. And in view of the support he has given to me I am prepared to surrender to his community even the 3 per cent. which my community is said to enjoy. With these words I support the motion.

Sardar Sampuran Singh (West Punjab: Sikh): Sir, I have enjoyed the beautiful speech of my Honourable friend Lt.-Col. Chatterjee, but the feelings and ideas he has expressed are more of a person who has always lived in high society and does not know the pangs and troubles of poor people living outside, the trouble with which they get education and the handicaps they have to struggle against to rise in this world. He says he is a poor man. Yes, he is born a Chatterjee, the highest class of Brahmins in this country; he has not inherited any of those handicaps which the lower classes and those who live in the villages have. If these backward classes—as we call them—do not get their proper share and encouragement in the Government services, I am afraid the greater portion of the population of this country will remain backward. For the whole nation to stand shoulder to shoulder and to make the whole country advance it is necessary that the people who have been left behind so far should be encouraged and even fed artificially so that the entire nation may become one harmonious unit.

With these few remarks I support the motion of my Honourable friend Sardar Mangal Singh and I hope that Government, who have not so far looked to our rights and claims, will at least in future give us full encouragement and the share which is due to us in the Government services.

Khan Bahadur Zafar Hosain Khan: Sir, the House is aware that there is no specific reservation for the Sikh community, as has been pointed out by the Honourable Mover, because the 6 per cent. is reserved for them with Indian Christians and Parsis. The All-India population ratio for Sikhs is 1·56 per cent. while the actual recruitment intake during the years 1939-40 to 1944-45 to Subordinate Services has been above this figure, *viz.*, 2.1, 2.2, 2.2, 2.1, 1.6 and 1.8 respectively.

Sardar Mangal Singh: What should it be? What is our share according to population?

Khan Bahadur Zafar Hosain Khan: I am coming to that, Sir.

I will explain briefly, Sir, how this percentage was fixed. A communal census of subordinate staff on State-owned railways was carried out on 31st December 1932 when the percentage composition of each community was determined. In this census the percentage of 'Other Minority Communities' was 5.86 of which the Sikhs had 1.50, Indian Christians 3.30 and Parsis 1.06. In accordance with the policy laid down by Government, it was decided, therefore, that reservation in recruitment should be 6 per cent. for 'Other Minority Communities' including Sikhs. This reservation approximated to the composition percentage of 'Other Minority Communities' as a result of the Census mentioned. This 6 per cent. has been broken down into different percentages for each railway and the percentage allotted to Sikhs on the N. W. Railway, the railway in which my Honourable friends are particularly interested, is 6.79. Actually on that railway the percentage of Sikhs has risen from 6.8 in 1932 to 10 in 1945. It will be seen, therefore, that Sikhs have actually obtained a greater proportion of appointments than their composition status in 1932.

With regard to the demand made by the Honourable the mover that they ıould be given a separate quota from the share allotted to the 'Other Minority ommunities', it may be stated that reservations are necessary only if a ommunity is not able to obtain their share on merit. From the figures which have quoted, it is obvious that Sikhs have obtained more than their share in ıe Subordinate Services.

With regard to staff on scales of pay rising to Rs. 250 per mensem and over ı the old scales of pay and Rs. 200 per mensem in the new scales, the percentage f Sikhs in 1934 was 2 which has risen to 2.29 in 1945.

As regards the intentions of Government to see that Sikhs get their proper ıare, it may be mentioned that on the N. W. Railway, recruitment to Subordiate Services is made by the N. W. R. Service Commission one of the Members which is a Sikh.

So far as Superior Services are concerned, the Sikhs share the 6 per cent. ith 'Other Minority Communities'. In these Services their percentage in 1934 as 1.2 and this has risen to 2.3 in 1945. I will now state the percentage of ikhs in Superior Service on the North Western Railway. This percentage in lministrative posts is 5·88; in Senior scale posts it is 8.54 and in Junior Scale osts and Lower Gazetted Service it is 6.75, *i.e.*, the overall percentage in all ıperior posts on that railway is 7.24. It cannot, therefore, be said that the ikh Community is not receiving their proper share in Railway Services.

With regard to promotions mentioned by the Honourable the Mover, I stated esterday in reply to my Honourable friend, Mr. Muhammad Nauman's motion ıat it is the settled policy of Government that communal quotas are not to pply in the case of promotions.

I hope, Sir, that in view of the information I have given to the House, the Honourable the mover will not press his motion.

Sardar Mangal Singh: I do not press the motion not because the reply given y Government is satisfactory but because I don't want to divide the House on his issue. Sir, I wish to withdraw the motion.

The motion was, by leave of the House, withdrawn.

Need for granting a minimum wage of Rs. 60 per mensem to Railway employees in the lower Cadre

Mr. Frank R. Anthony (Nominated Non-official): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

This motion has been put down in order to discuss the need for granting a minimum wage of Rs. 60 per mensem to Railway employees in the lower cadre.

I might mention in the beginning that it is rather unfortunate that those who appear to be the only people who represent the interests of railway labour should have been allowed about one hour to discuss their motion. And because of that it has been rather conspicuous that the interests of railway labour have gone by default during these discussions for a period of four days.

The Honourable Sir Edward Benthall: We discussed that at some length on cut motion No. 2.

Mr. Frank R. Anthony: A very limited discussion. That was the only motion in four days which had anything to do with railway labour. But I feel, Sir, that I can reasonably ask for the support of all sections of the House with regard to this cut motion.

My Honourable friend, the War Transport Member, is bound to tell us that my request will raise serious financial implications not only for the Railway Administration but for the whole Government Administration as such; that they only represent one department of Government and you cannot expect them unilaterally to raise the minimum wage level of the railway employees, otherwise you will have a similar request from other employees of Government. But my submission to this is that the Railways do occupy rather an unique position in

[Mr. Frank R. Anthony]

the whole Government machine. They are a commercial or quasi-commercial organisation which has earned, and is continuing to earn, huge profits. If the railways do consider introducing this minimum wage, which I have asked for, it will not be necessary . . . . . .

Sir Cowasjee Jehangir: How can they meet the extra expenditure? And supposing the Railways incur a loss?

Mr. Frank R. Anthony: Mr. Guruswami said that he will be able to tell the Honourable the War Transport Member, if he will let him, exactly how he can raise the money in order to meet this enhanced charge . . . .

Sir Cowasjee Jehangir: He cannot do it.

Mr. Frank R. Anthony: No, no. He is prepared to tell the Honourable the War Transport Member how to rise the money in order to meet this enhanced bill.

The Honourable Sir Edward Benthall: I hope my Honourable friend will do the same. He has plenty of time to do it.

Mr. Frank R. Anthony: I am a much humbler person. I don't arrogate to myself any of the knowledge of a financial expert. A financial expert has been defined as a person who tells people how a thing cannot be done. These bogeys raised by financial experts and economic experts have been paraded in season and out of season. Whenever we get down to peace-time conditions, experts trot out all sorts of reasons why a thing cannot be done . . . .

Mr. Deputy President: Order, order. Under cut motion No. 2, the House discussed the attitude of the Railway Board on staff matters especially those relating to wages, allowances, working hours, etc., etc. The Honourable Member in moving his motion should particularly confine himself to the issue which he has raised, namely the need for granting a minimum wage of Rs. 60 per mensem to Railway employees. He should not mix up this with the general question which has already been discussed on cut motion No. 2 moved by Mr. Gadgil.

Mr. Frank R. Anthony: I am merely anticipating some of the reasons which I think my Honourable friend will adduce in order to resist this request of mine. As I say, the economic experts always tell us in time of peace that a certain thing is impracticable, that this is a bogey, but when the need really arises or when it becomes unavoidable to get the money, then some way or another this money is procured. And that is where I want to sound a note of warning to the Honourable the War Transport Member. The Railways represent perhaps your most valuable departmental asset or governmental asset in India today. It is your business in the testing times ahead not only to maintain the efficiency of the railways but to keep them open and unless you accede to this request you will not be able to do either one of these duties. One of the Honourable Members speaking today said that the reason for corruption in certain sections of the staff was that the lower staff are inadequately paid. I might mention to the Honourable the War Transport Member that it is claimed today by the Communist movement that they represent labour, which includes railway labour. And as far as I am aware the Communists have, and continue increasingly to get, a hold on the labour movement in this country. All your arguments that you cannot raise the wages, the minimum wage of the worker in this country, will count for nothing in the face of impending strikes, strikes which I feel these people who are getting an increasing stranglehold on the labour movement in this country, will call and back up with violence. That is the issue which you face today. There is no point in trying to fob it off by academic arguments. Railway labour today is increasingly joining the fold of these unions which draw their inspiration from certain "isms" which do not have their source in this country. I deplore the transfer of labour into these folds but unless you do something to meet the needs of the lower stratum of railway labour you will drive them increasingly into the folds of these unions.

The Honourable Sir Edward Benthall: May I ask the Honourable Member a question? To whom does he refer by 'lowest cadre''? Does he refer to the lowest grade of the subordinate service or the unskilled labour?

Mr. Frank R. Anthony: I am talking about everybody. I am not aware of the technical difference. I am talking of the railway employee. We were told the other day that the labourer in the Ahmedabad mills has been put on the minimum wage of Rs. 88 per month. A few days ago when I was talking to a member of the European Group, who is an influential business man concerned with labour, he told me that they had anticipated this increasing demand, which has now become universal, for a minimum living wage by labour in this country and he has introduced a minimum wage of Rs. 60 per month to his lowest stratum of employee, the labourer. If I remember aright a minimum of Rs. 55 was recommended by a Royal Commission on Labour. Why I have put down Rs. 5 more is to take into account the increased cost of living today.

Before I conclude, Sir, I would like to ask the Honourable the War Transport Member a question which has a bearing on this whole question of wages. What is your policy with regard to the question of the continuance of dearness allowance and war allowance to the railway worker? We are told that the war officially will end on All Fool's Day. Is it your intention also to whittle down or abolish altogether your dearness allowance and other allowances paid to the railway worker? I would like to have an answer to that question because this is a matter which is agitating railway workers throughout the country. They feel that so long as the cost of living remains at its present high level, the railway authorities will have no justification for withdrawing their war time and dearness allowances.

This request of mine for a minimum wage is a perfectly legitimate one and I feel that if some kind of body is convened to go closely into this matter, you will be able to find the money with which to meet this request on the part of the workers generally and of the railway worker in particular. Sir, I move

Mr. Deputy President: Cut motion moved.

"That the demand under the head 'Railway Board' be reduced by Rs. 100"

Miss Maniben Kara (Nominated Non-Official): I rise to support the cut motion of my Honourable friend, Mr. Anthony, for a minimum wage of Rs. 60. It is a little surprising, Sir, that much concern was expressed in the House for safeguarding the vested interests in this country by throwing out yesterday the rail-road co-ordination scheme. And for this question, I take it that opinion will be expressed by the Members of all the Parties that a demand for a minimum wage of Rs. 60 is not an unjustified request. Nobody in this House can say that for a decent human existence—I would not say living, as it is mere existence—Rs. 60 is an unreasonable, demand on the part of railway workers. I reiterate what I said before that railways cannot be regarded as a mere commercial concern and I would here take the opportunity of replying to my friend, Sir Cowasjee Jehangir, who says that we must remember that railways are a business concern. I beg to differ from him because it is essential they should be run as a social service. They are for public utility and as such I do not think there will be anybody in this House who will consider a minimum wage of Rs. 60 as something exorbitant in these days when we do not want to go back to pre-war standard of life. It is gratifying to find that the Honourable Member has casually mentioned in his note about the staff in the report that he submitted that there will be no immediate reduction in the wages of the railway employees. Now I am very glad that he has stated that but may I draw his attention to the fact that the existing wages are not sufficient? Existing wages are not enough for decent condition of life for the worker. I would also like to mention that the cut motion also involves a matter of principle. It is not only a fact that it will be a figure of Rs. 60 but the question is that a new idea will be accepted and that of a minimum wage. In no civilized country will you find that a minimum wage legislation does not exist. I am glad that very soon the Honourable the Labour Member is contemplating to bring such legislation and

[Miss Maniben Kara]

it will be quite the right thing if on this occasion we give a lead by saying that we accept the principle of the minimum wage. My friend who has moved this motion has not only done a service by saying that it should be Rs. 60, but he appeals to all the Members of this House that the principle of minimum wage should be accepted and I say that there should be nobody in this House who will say that we should not have the minimum wage principle adopted. So long as there is no minimum wage level, there is always the danger that because there is a large army of unemployed people the wages may drop still further and further. There was a question put by my Honourable friend, Sir Cowasjee Jehangir, that if we kept the wages at Rs. 60 where was the money coming from? Sir, I am not in a position to give him all the details at this stage, but I will not say that I am not in a position to sit down with the Honourable Transport Member and show him how the budget can be replanned so that the workers can get a minimum wage of Rs. 60. Sir, it is only at the time of the budget that we can plan in such a way as to show that we really feel that the human needs of the workers, who run our railways and who carry us from one place to another, should be provided for. Accepting that principle the Railway Budget will have to be adjusted in such a way as to meet the minimum requirements of the workers. It is not enough to ask: how are we going to meet it? It is the task of those people who are at the head of the department to see how it can be adjusted. The workers and the poor man should not be sacrificed simply because we cannot find the money. There are many other expenses which can be reduced so that the standard of the workers can be increased, so that they can have a decent human existence for themselves.

There are many questions concerning the workers which it will be irrelevant to raise at this time. They are mentioned in another cut motion but unfortunately we will not have the time for that. I will only take this opportunity of saying that the wages of the workers should be standardised now that the railways are coming under state control. There is a terrible dissatisfaction among the workers on account of two different rates of wages, one in the company managed railways and another in the state-owned railways. For example on the O. T. Railway the rates of wages of the workers are definitely lower than on other railways. I take this opportunity of appealing to the Honourable Member to see that this distinction is immediately done away with. After all the workers do the same type of work. Why should there be two different rates of wages?" I appeal to the Honourable Member to abolish immediately the differences in rates of wages prevailing over various railways and I once again appeal to all sections of the House to support the principle that a wage of Rs. 60 is the minimum absolutely necessary for human existence.

With these words, Sir, I, support the motion.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, I support the cut motion moved by my friend Mr. Anthony. Somehow or other he seemed to think that Rs. 60 today answered to what he called the minimum wage. In India the Railway Department is the biggest employer of labour. It is time for the department to adopt some modern method of dealing with the large number of labourers under its control. The Minimum Wage Legislation is to be found in most of the Western countries and some such legislation was recommended by the Royal Commission on Labour in India. To understand precisely what minimum wage means, it is necessary to indicate that it should include sufficient food, sufficient clothing, decent housing and adequate leisure, to enable the worker to utilise it in order to improve his prospect and improve his mental outlook and his general educational equipment. In fixing the minimum wage care should be taken that it does not become the maximum. That is a danger which should be guarded against, because experience has shown us that in most of the industries where some attempt has been made to fix the minimum wage, that wage remains the maximum throughout the life of the worker. In arriving at the minimum wage it is not the wage that

required for the ordinary worker alone that should be taken into account. Some unit has to be fixed. For the present I agree with the unit assumed by the Textile Enquiry Committee in Bombay. They have accepted family as the unit. The unit to consist of 4 persons and three consumption units. The four persons include the earning man, his wife and two children below 15. Working on that standard these four persons would constitute 3 consumption units. These four persons must have sufficient food, sufficient clothing, decent housing and enough purchasing power to spend the minimum amount of leisure in the best possible way. There must be some provision for the education of the children. He must have some luxuries. You cannot make the life of the worker a real life if you do not include in it expenditure on *pan*, smoke, or *supari* or an occasional visit to the cinema theatre. After all when the upper classes do not feel satisfied with their lives, unless they visit cinema theatres, buy books of all sorts and enjoy other amenities; these factors must be taken into consideration when one has to fix the minimum wage of the worker. Prices of commodities and services which determine the minimum wage are not stable necessarily. You may fix the minimum wage today but unless there is a machinery present whereby the minimum wage is revised and brought up from time to time in level with the prevailing prices, the minimum wage that may be fixed today may continue till the worker is forced to threaten a strike. If we take the data as available today, I said the other day, the minimum wage would work out to Rs 69. To fix minimum wage at Rs 60 to-day is not advantageous to the worker. I understand the cut motion as a plea to have minimum wage fixed. That principle I want to support.

The Honourable Sir Edward Benthall: Sir, my Honourable friend has referred to a bogey which he anticipated that I shall raise. I am going to talk on that point, because Honourable Members must realise the seriousness of what they are asking for.

My friend, Mr. Anthony, has altogether outdone Mr. Guruswami He has asked for a minimum wage of Rs 60 as against a minimum wage of Rs 36 asked for by the Federation at their Moghulserai meeting.

Mr. Frank R. Anthony: Mr. Gadgil wants Rs. 69.

The Honourable Sir Edward Benthall: I am speaking to the Honourable Member's suggestion in the motion Mr. Guruswami asked, in fact, for an additional 57 crores a year on this account and apart from that, he asked for something extra on dearness allowance, bringing the total of his request to 78 crores per annum. My Honourable friend's request would amount, in round figures, to 100 crores per annum I will return to that in a minute He said that he was no economic expert and therefore could not make any suggestion as to how to meet this demand Any man of average intelligence could grasp that sums of this sort have got to be found from somewhere, and any man of average intelligence ought to be able to sum up whether they are feasible or merely fantastic, or alternatively whether something very drastic has not got to be done on the earnings side to meet his demand If I may put it in the simplest terms, my friend Mr Anthony could take his own case. He demands a minimum wage of Rs. 60. I have no doubt that being so, that he pays his own servants, even the most menial, Rs. 60. If he decides that that is not sufficient and he wants to put them up further and he thinks that it ought to be Rs. 100, he has clearly got to turn over in his own mind how he is going to find the money to meet that. If he is in ordinary service he would ask for more pay; if he is a learned barrister he would have to earn more briefs to pay for it; and so precisely is it with the railways. If we are asked to produce another 100 crores for the staff, we have got to earn more money, and I think, as a result of all that I have said in the last week, I really think the House understands that fact now, but I have met nobody yet with the courage to say that the two things go together .I grant of course that a great deal can be done in the way of economy and more can be done in the way of increasing earnings by some of the

[Sir Edward Benthall]

means which have been suggested. But nevertheless there is as far as we can see at present a serious gap. My Honourable friend asks for a sum of Rs. 100 crores per annum. If he will add that to the figure which we pay for staff now, that is, 75 crores, he will reach the total of 175 crores. He is asking that the wage bill, without dearness allowance or anything else, should be increased by 125 per cent. at a stroke of the pen. In other words, he asks for a wage bill of 175 crores per annum against a pre-war wage bill of 35 crores—that is to say, he asks that the wage bill should be put up to over 500 per cent., when the railways themselves have put up their rates and fares by 8 per cent. Sir, those figures strike me as being purely fantastic, and as I said before I cannot understand how any man of such eminence and legal acumen as my Honourable friend can seriously put them forward, without coupling them with some constructive suggestion. If you take the wage bill of 175 crores, and add to it the other inescapable items of the railways including interest and depreciation fund contribution, you will find that the total will come to something like 260 crores. Next year our budget is in the nature of Rs. 180 crores of receipts. To bridge the difference of some 80 crores or so you would in fact have to raise your fares by 50 per cent. . . . . .

[At this stage Mr. President (The Honourable Mr. G. V. Mavalankar) resumed the Chair]

. . . . . and members this afternoon have still been complaining that the rates and fares are already high enough. I entirely agree with that point of view. You do not want to force up your fare at the expense of the poorer sections of the people, nor do you want to force up your rates at the expense of the industries of the country. My Honourable friend said that what he was asking for applied to all classes of workers, whether they are skilled, unskilled, subordinate or inferior. It must of course be confessed that the unskilled workers do not get anything like that figure. But in the subordinate services, the lowest grade already receive a minimum wage of Rs. 30 with an allowance during the war of Rs. 10—that is Rs. 40—and they receive a dearness allowance which varies according to the zone from Rs. 14 to Rs. 20, and they receive grain shop benefits which on the average come to about Rs. 13. If you add all these three figures together you will find that the minimum of the subordinate grade is something between Rs. 67 and Rs. 73: so that, so far as the subordinate services are concerned they are already receiving the minimum which my Honourable friend is asking for.

If anything in the nature of those figures were to be conceded by the railways alone, one must consider what the effect would be not only upon Government servants but upon all classes of labour in the country. Such a move has to be done not in one department of Government only by the railways putting up their rates, but by concerted action throughout the country. Otherwise individual action by particular Government departments would create repercussions not only upon other departments of the Central Government but also upon the Provincial Governments and finally upon all employers throughout the country. I do not know quite how my Honourable friend would propose to deal with the situation which would arise from agricultural labourers not getting an economic wage, a wage which was not fixed by legislation, while all other workers received the minimum of Rs. 60. How would he reconcile the two and would it not be necessary also to apply this minimum wage to agricultural workers, and if so how would he enforce it in agricultural areas? No, Sir. I am merely saying this because a request has now been made for the railways to take the lead, regardless of anybody else. I maintain that that is not possible. Government must deal with these problems as a whole, and the economy of the whole country must be viewed as a whole. For instance, if we put up wages by this amount would the Honourable Member—and I have shown that it would be necessary—put up rates and fares by 50 per cent. The next [illegible]

would be that the poor agriculturist who is not getting the minimum wage could not afford to send his goods to the market. Once again, therefore, at this late hour I do most sincerely appeal to my Honourable friends, when they are putting forward these demands, to take into account also the other side of the picture. Repeatedly in almost every quarter of the House . .

Mr. President: Is the Honourable Member likely to take long? He can finish his sentence if he likes. It is time

(It being five of the clock)

(The Honourable the War Transport Member resumed his seat)

DEMAND No. 1.—RAILWAY BOARD

Mr. President: The question is.

"That a reduced sum not exceeding Rs. 35,75,400 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Railway Board'."

The motion was adopted.

DEMAND No. 2.—AUDIT

Mr. President: The question is

"That a sum not exceeding Rs. 18,78,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Audit'."

The motion was adopted.

DEMAND No. 3.—MISCELLANEOUS EXPENDITURE

Mr. President: The question is:

"That a sum not exceeding Rs. 45,00,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Miscellaneous Expenditure'."

The motion was adopted.

DEMAND No. 5.—PAYMENTS TO INDIAN STATES AND COMPANIES

Mr. President: The question is.

"That a sum not exceeding Rs. 1,76,85,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Payments to Indian States and Companies'."

The motion was adopted.

DEMAND No. 6-A.—WORKING EXPENSES—MAINTENANCE OF STRUCTURAL WORKS

Mr. President: The question is.

"That a sum not exceeding Rs. 16,74,36,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Working Expenses—Maintenance of Structural Works'."

The motion was adopted.

DEMAND No. 6-B.—WORKING EXPENSES—MAINTENANCE AND SUPPLY OF LOCOMOTIVE POWER

Mr. President: The question is:

"That a sum not exceeding Rs. 42,59,97,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Working Expenses—Maintenance and Supply of Locomotive Power'."

DEMAND NO. 6-C.—WORKING EXPENSES—MAINTENANCE OF CARRIAGE AND WAGON STOCK

Mr. President: The question is:

"That a sum not exceeding Rs. 16,41,84,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Working Expenses—Maintenance of Carriage and Wagon Stock'."

The motion was adopted.

DEMAND NO. 6-D.—WORKING EXPENSES—MAINTENANCE AND WORKING OF FERRY STEAMERS AND HARBOURS

Mr. President: The question is:

"That a sum not exceeding Rs. 57,72,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Working Expenses—Maintenance and Working of Ferry Steamers and Harbours'."

The motion was adopted.

DEMAND NO. 6-E.—WORKING EXPENSES—EXPENSES OF TRAFFIC DEPARTMENT

Mr. President: The question is:

"That a sum not exceeding Rs. 18,29,82,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Working Expenses—Expenses of Traffic Department'."

The motion was adopted.

DEMAND NO. 6-F.—WORKING EXPENSES—EXPENSES OF GENERAL DEPARTMENTS

Mr. President: The question is:

"That a sum not exceeding Rs. 6,81,59,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Working Expenses—Expenses of General Departments'."

The motion was adopted.

DEMAND NO. 6-G.—WORKING EXPENSES—MISCELLANEOUS EXPENSES

Mr. President: The question is:

"That a sum not exceeding Rs. 17,82,44,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Working Expenses—Miscellaneous Expenses'."

The motion was adopted.

DEMAND NO. 6-H.—WORKING EXPENSES—EXPENSES OF ELECTRICAL DEPARTMENT

Mr. President: The question is:

"That a sum not exceeding Rs. 5,84,49,000, be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Working Expenses—Expenses of Electrical Department'."

The motion was adopted.

DEMAND NO. 7.—WORKING EXPENSES—APPROPRIATION TO DEPRECIATION FUND

Mr. President: The question is:

"That a sum not exceeding Rs. 13,21,62,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Working Expenses—Appropriation to Depreciation

DEMAND No. 8—INTEREST CHARGES

Mr. President: The question is:

"That a sum not exceeding Rs. 87,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Interest Charges'."

The motion was adopted.

DEMAND No. 9.—APPROPRIATION TO BETTERMENT FUND

Mr. President: The question is:

"That a sum not exceeding Rs. 3,00,00,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Appropriation to Betterment Fund'."

The motion was adopted.

DEMAND No. 10—APPROPRIATION TO RESERVE

Mr. President: The question is:

"That a sum not exceeding Rs. 1,85,93,000, be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Appropriation to Reserve'."

The motion was adopted.

DEMAND No. 10-A.—WITHDRAWAL FROM RESERVE

Mr. President: The question is:

"That a sum not exceeding Rs. 13,81,89,000, be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Withdrawal from Reserve'."

The motion was adopted.

DEMAND No. 11.—NEW CONSTRUCTION

Mr. President: The question is:

"That a sum not exceeding Rs. 2,00,00,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'New Construction'."

The motion was adopted.

DEMAND No. 12.—OPEN LINE WORKS

Mr. President: The question is:

"That a reduced sum of Rs. 32,50,50,000 be granted to the Governor General-in-Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Open Line Works'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 28th February 1946.

Copies of the Debates of the Legislative Assembly and of the Council of State are obtainable on sale from the Manager of Publications, Civil Lines, Delhi